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THE

TRIAL

OF

HENRY HUNT, Esq.

JNO. KNIGHT, JOS. JOHNSON, JNO. THACKER SAXTON, SAMUEL BAMFORD, JOS. HEALEY, JAMES MOORHOUSE, ROBERT JONES, GEO. SWIFT, AND ROBERT WYLDE,

FOR AN ALLEDGED

CONSPIRACY

TO

OVERTURN THE GOVERNMENT, &c.

Before Mr. Justice Bayley, and a Special Jury,

AT THE YORK LENT ASSIZES, 1820.

Thou shalt not raise a *false report*; put not thine hand with the wicked to be an *unrighteous witness*. *Exodus, Chap.* 23, *ver.* 1.

Keep thee far from a *false matter*, and the innocent and righteous *slay thou not*, for I will not justify the wicked. *Ver.* 7.

For the ways of man are before the eyes of the Lord; and he pondereth all his goings. *Proverbs, Chap.* 5, *ver.* 21.

His own iniquities shall take the wicked himself, and he shall be holden with the cords of his sins. *Ver.* 22.

He shall die without instruction, and in the greatness of his folly he shall go astray. *Ver.* 23.

These six things doth the Lord hate: yea, seven are an abomination unto him: a proud look, *a lying tongue*, and hands that *shed innocent blood*, an heart that deviseth wicked imaginations, feet that be swift in running to mischief, a *false witness* that *speaketh lies*, and him that soweth discord among brethren. *Pro. Chap.* 6, *V.* 16, 17, 18, 19.

The lip of *truth* shall be established for ever; but a *lying tongue* is but for a moment. *Proverbs. Chap.* 12, *Ver.* 19.

In the *multitude of people* is the *king's honour*; but in the want of people is the destruction of the prince. *Prov. c.* 14, *v.* 28.

Whoso mocketh the poor reproacheth his Maker; and he that is glad at calamities shall not go unpunished. *Prov. c.* 17, *v.* 5.

If a ruler hearken to *lies*, all his servants are wicked. *Prov. c.* 29, *v.* 12.

What mean ye that ye *beat my people to pieces*, and grind the faces of the poor? saith the Lord God of Hosts. *Isaiah, c.* 3, *v.* 15.

Woe unto her that is filthy and polluted, to the oppressing city. *Zephania, c.* 3. *v.* 1.

Her prophets are light and treacherous persons; her *priests* have polluted the sanctuary; they have done *violence* to the *law*. *V.* 4.

Have ye not seen a *vain vision*, and have ye not spoken a *lying* divination, whereas ye say the Lord saith it; albeit I have not spoken. *Ezekiel, c.* 13, *v.* 7.

Therefore thus saith the Lord God; Because ye have spoken *vanity*, and seen *lies*; therefore behold, I am *against* you, saith the Lord God. *V.* 8.

And mine hand shall be upon the prophets that see vanity, and that divine *lies*; they shall not be in the assembly of my people, neither shall they be written in the writing of the house of Israel, neither shall they enter into the land of Israel, and ye shall know that I am the Lord God. *V.* 9.

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INDEX TO THE WITNESSES.

A.

Page.

Andrews, Henry 214
Andrews, Jonathan 92
Ashworth, John 57

B.

Baines, Edward 216
Barlow, John 70
Barlow, James 181
Barrett, Joseph 257
Bentley, Michael 35
Brattargh, John 212
Briant, Mary 231
Brooks, Thomas 255
Brooks, William 257
Burns, William 259

C.

Cadman, Marv 37
Cooper, Matthew 71

D.

Darley, Edmund 262
Daykin, Jacob 189
Duncoft, James 59
Dyson, James 178

E.

Eaton, John 54
Elson, William 186
Entwistle, Roger 61

F

Fell, John 230
Fielding, Jeremiah 58
Fitzpatrick, M. 123
Frankland, James 183

G.

Green, J. 97
Grundy, Edmund 177
Grundy, Robert 240

H.

Hampshire, John..... 191, 198
Hardman, T. 94
Harrop, Robert 222
Heaviside, M. 263
Heywood, John 50
Hindmarsh, M. 263
Hobson, John 257
Hobson, Jonathan 258
Horton, H. 80
Hulton, W. 100
Hulley, John 225

J.

Jones, Mary 229

K.

Page.

Kendall, William 183

L.

Lees, John 230
Lees, Mary 184

M.

Mills, J. 77
Molineux, John 250
Morris, Wm. 51
Morton, Samuel 38
Morville, Lucy 190
Murray, James 46

N.

Newton, Edmund 188

P.

Phillips, Francis 64
Phillips, W..... 262
Platt, James 91
Prestwich, Nancy 226

R.

Robarts, J. G. 263
Robinson, J..... 266
Rockliffe, John..... 229
Rothwell, Thomas 248

S.

Sanderson, T. W..... 260
Schofield, James 253
Schofield, Jos. 248
Schofield, Thomas 221
Shawcross, John 50, 123
Sheppard, Elizabeth 185
Simpson, Edmund 71
Shuttleworth, John 198
Slater, Joseph 120
Smith, John 191, 259
Standring, James..... 42
Standring, William..... 57
Stott, James..... 196
Styan, Thomas 71

T.

Tiddler, Thomas 29
Thelwall, William 239
Travis, Joseph 55
Turner John 184
Tyas, John 204

W.

Walker, John 112
Walker, Sidney 236
Watson, Joseph 231
Willie, John..... 118
Wood, Isaac..... 252
Wright, Robert 233

PREFACE.

THIS important Trial will be read and listened to with the liveliest interest wherever there is a spark of humanity or justice to be found.

To see Truth overcome Falsehood; to see Innocence overcome Guilt; to see Courage, virtuous Courage, plant its streaming banner on the very citadel of base tyranny, are objects which have ever commanded the admiration of the British public. After having disproved all the assertions about the turbulence of the people, their disloyalty, and contempt for religion; after shewing that no bludgeons were carried, no brick-bats thrown, no magistrates insulted; after disproving the assertion about revolutionary emblems, the danger of the town of Manchester, and the existance of a CONSPIRACY, Mr. Hunt may be gratified to find that the VERDICT was given to those who stood in more need of it than himself.

The following remarks taken from *The Times* newspaper of this day, (Thursday, March 30th) fully express what must now be the feeling of every impartial individual in the country, on the Manchester business :---

"It is become the painful duty of an impartial journalist to recall and republish the statements made by certain members of his Majesty's Cabinet and of the House of Commons, respecting the proceedings at Manchester on the 16th of August, and to contrast these statements and assertions with real facts, as they have been sworn and proved in open Court. But we must here guard ourselves, *in limine*, against the imputation of using improper language. When, in these remarks, we say that a thing is false, or untrue, we must be understood as only noticing its absolute contrariety to fact; we would, on no account, be thought to imply an intention to deceive on the part of those eminent persons from whose speeches we shall introduce extracts: they must themselves, indeed, be agonized with shame on finding how they have been deceived. In the above modified sense, therefore, it is now perfectly clear to all the world, that every thing which was stated in the House of Commons respecting the riotous character of the Manchester meeting, by Lord Castlereagh, the Solicitor-General, and other honourable members, was totally and absolutely false; it was directly opposed to truth: it does not appear to have even had verisimilitude or probability in its favour. It is no more descriptive of the proceedings at Manchester, on the part of the military, the magistrates, and the mob, than it is descriptive of the proceedings at Runnymede in King John's time, further than that there were magistrates, military, and a mob, at Manchester. The actions of all three are wholly misrepresented.

'We shall begin, to show our impartiality, with the statement of Lord Stanley, a gentleman who generally votes in the opposition:—

'"In the rear of that column of cavalry the people "closed in; and *stones* and *sticks* were thrown at the "cavalry, who then turned round, and some wounds "were inflicted!"

'It is almost needless to observe, that this statement is derived from Hulton's evidence, which, being unsupported, is supposed by the learned Judge to have proceeded from a terrified imagination, and a bad position for seeing; it is, in fact, disproved by every witness who came into Court.

'From Lord Stanley we pass to Ministers themselves, or persons connected with the ministry. God knows what an inclination to be deceived there must have been in men who so easily suffered themselves to be deceived.

'The Solicitor-General—"Nadin, the officer, saw "the meeting, *and found that it would be impossible to* "*execute the warrant by the civil power alone.*"*** "The Yeomanry troops, before they had attempted to "strike a blow, *were attacked by the crowd, some of them* "*unhorsed, and their horses thrown.*"

'These statements are not only proved false by the evidence, but the first of them was invalidated by the Judge himself, who informed the Jury, before summing up, "that there was *no evidence* of Nadin's inability to execute the warrant;" whilst the man was in York, to have proved such inability, if he had dared to have sworn to so atrocious an untruth.

'Mr. Canning was abroad when these events took place; and, therefore, the needless effrontery with which he took up and repeated the enormous falsehoods first conveyed to others, is truly miraculous. But as they derive no credit from the repetition of an absent man, they need no refutation as coming from him.

'Mr. Wilbraham Bootle declares,

' "That not a blow was struck till the Yeomanry were assailed with *stones, brick-bats, and other missiles* brought to the spot for that express purpose."

'It is not sufficient to say of this and all similar assertions, that their falsehood was proved by more numerous and respectable witnesses than were ever brought to prove a fact in a Court of Justice. But it must also be added, that not one creature was produced, of any description whatever, to prop or sustain their credibility. The authors of the falsehoods shrunk from owning them at York, as an unnatural father does from acknowledging his illegitimate offspring; dreadfully sorry that the sins of former days should stare him in the face, when he would least have wished to meet with them.

'But we now come to the greatest dupe. It is needless to copy here all that Lord Castlereagh has said, and, we believe, would have sworn, if he might, with respect to the Manchester meeting; such was the credit which his eager simplicity reposed in the basest, falsest, and most perfidious of informers.' His first speech on the Address, begins---

' "The truth was, that the Magistrates did not determine upon dispersing the meeting *until it had assumed*

the character of tumult and sedition." * * * "*As soon as the character of the meeting had declared itself*, the Magistrates put the warrants into the hands of the constables, and *it was not until they had declared their inability to execute them*, that a military force was employed at all."

'All this is totally false. More than twenty witnesses swore at the trial, *and none contradicted them*, that the meeting never assumed the character of tumultuous; that the yeomanry never were assaulted by stones, brickbats, or bludgeons; that there were no stones, brickbats or bludgeons at the meeting; and that the witnesses must have seen if such weapons had been used, or even been there.'

Observe, reader, the simple tone of narrative which the following extract assumes; not one word of which, it is now proved, has the slightest foundation in, or approximation to truth. The Riot Act! Gracious Heaven! Is it even mentioned at the trial? The reader of it, too! But he is no more, poor fellow! He was trampled under foot in that fatal fray. Could he but have lived and gone to York, he would have specially enlightened the Court and Jury as to the manner in which his elocution was rewarded. Yet his brethren were present at York. Why did not they come forward and relate his sufferings, and vindicate his fame?

"'The magistrates determined to disperse the meeting, and to disperse it in the most mild, and gentle, and temperate manner. At the time the *Riot Act* was *first* read, it was read from the window of the house in which the magistrates were assembled; it was sug-

gested that this method of reading it was not such as was contemplated by the act; *another magistrate* was therefore sent into the crowd, and whilst attempting to read it, was *trampled under foot;* they then sent a *third* magistrate, to read it *at the hustings*, in order that no man might remain in ignorance of the fact of its being read. (Cries of *hear*, from all parts of the house.")'

'But the following, from the same noble lord's speech, exceeds all credibility of human invention; and we are convinced, that if we had confined our labours to the production of this single extract, its matchless, its boundless, its inconceivable falsehood, must have obliged him who, with a degree of inconsideration bordering closely on criminality, has adopted it, to drag forth the guilty author. Indeed, the general opinion now is, that the conduct of the magistrates must be immediately investigated by some tribunal or other.

'"This unarmed multitude, though the place had "only the day before been cleared of all the *stones* that "were calculated to hurt a human being, assailed the "military with so many, that the next day *two cart* "*loads* were found upon the ground (hear, hear); so "that it was clear that the parties had come with *stones* "*in their pockets;* it was also evident that there were "*men* among them *armed with pistols*; *for, from the house* "*behind the hustings*, pistols were fired upon the troops. "(Hear.) * * *"

'But to return to the point from which we started: we must here observe, that if a liberal construction will readily exempt the persons above quoted from the fraudulent intention of deceiving the House and country.

they never can be acquitted of the charge of great levity and indiscretion, in thus accrediting and obtruding statements as true, which the first breath of inquiry has dissipated, and which the slightest examination or consideration would have proved to be false. Who, we ask, are the real authors of the monstrous untruths above quoted? The dupes, the victims, must now bring these before the public. The too easy, unsuspecting son of guiltlessness, the Solicitor-General, will tell us who seduced his innocent mind into the preposterous belief and assertion that "the yeomanry were first attacked and unhorsed by the crowd."

'The cart loads of stones! Oh, for the love of laughter, let us hear who showered them down, not upon St. Peter's-field, but upon the unhappy unsuspecting head of Lord Castlereagh; and that, too, without breaking it. Whose waggons carried them off, when the battle was ended? Where are they now deposited? Oh, preserve them! Preserve them carefully! They may form a barrow for this illustrious victim of credulity, when his eloquence shall cease to charm, and may help to hand down his fame to after times. Yet---to be serious on a subject so grave---Nature is said, in homely phraseology, to "adapt the back to the burden;" and she may therefore strengthen the nerves, and bronze the countenances, of those who have to sustain this lamentable detection. But the character of the age in which we live is affected by occurences of this kind. The future student must read the transactions of the present period. If, then, he take up the parliamentary history, he will find in the speeches of ministers, read-

ings of Riot Acts---magistrates trampled on---yeomanry assaulted, hooted, unhorsed--waggon loads of stones---forests of bludgeons! not one tittle of which has any existence or place in the state trial, to which he will naturally turn, in order to observe the issue of atrocities so horrible. What will Ministers do? Their station in the realm has unfortunately snatched them from obscurity: they must therefore either destroy every record of their speeches, or cancel every publication of the late trial, by which all their statements are dissipated and reduced to nothing; or else (comes the last lamentable clause of the disjuntive), they will stand recorded for ever as having solemnly averred in the Houses of Legislature, that which was found in a Courts of Justice to be totally untrue. Alas! was this the way that Burleigh and Walsingham defeated projects for the 'destruction of the Government? by raving infatuated descriptions of the danger---descriptions without any foundation in truth, or even in reason and probability?'

TRIAL

OF

Henry Hunt, Esq.

&c.

York, Thursday Evening,
March 16, 1820

THIS morning the long-expected trial of Mr. Hunt and the other defendants, indicted for a Conspiracy on the 16th of August last, at Manchester, commenced at York. At a very early hour in the morning some persons of the first respectability in the county were admitted. By an arrangement considerately made by the High Sheriff and his Deputy, with the aid of Messrs. Brook and Bulmer, and the attention of Mr. Stavely, the Governor of York Castle, the Reporters for the London press were admitted through a private entrance at a quarter before seven in the morning. The box for the *Jury in waiting*, and the seats usually occupied by attorneys, were reserved for the Magistrates of the county, their own box being insufficient to afford them accommodation, the attendance being so full. The ladies, who in general grace country courts with their

presence in fascinating groupes, were not deterred by the impending risk attendant upon the terrible pressure of the crowd, and many of them had obtained admission before the Castle gates were thrown open to the public. Long before the Court sat, the prelude to the more serious business of the day was filled up by a variety of incidents which occurred among the persons who were so fortunate as to obtain early admission. The galleries were kept locked until the hour of public admission; but many who had got access to the body of the Court, and who were there prevented from occupying seats otherwise appropriated for visitors, adopted the expedient of ascending the galleries, without putting themselves to the intermediate trouble of mounting a flight of stairs. They scaled the walls, and helped themselves to the front seats without ceremony. At ten minutes past eight o'clock the Court was thrown open, and the rush into every part of it was tremendous. In less than a minute every corner was crowded almost to suffocation, and the assemblage which then filled the Court presented a most singular spectacle. Ladies, apparently of rank, were hustled about by the yeomen of the county, and for a moment the usual courtesy which all men wish to pay the fair sex was suspended; the general decorum was only forgotten for a moment, for owing to the excellent arrangements made by the official persons who had the superintendence of the Court, no more were admitted in the first rush than could obtain accom-

modation without any greater inconvenience than that usually encountered in crowded meetings.

Immediately before the Judge entered, Mr. Hunt, Mr. Moorhouse, and the other Defendants, ten in number, with Mr. Pearson as their Solicitor, took their seats at the Barrister's table. The Rev. Mr. Ethelstone, the Rev. Mr. Hay, Mr. Sylvester, Mr. Hulton, Colonel L'Estrange, Colonel Fletcher, and the rest of the Manchester Magistrates, were also in the throng; but such as were subpœnaed as witnesses were ordered out of Court, until they were called upon for examination. Witnesses on both sides withdrew by order of the Court. Lord Howden was also present.

At nine o'clock the Defendants were arraigned, and they severally pleaded *Not Guilty*. They were charged with a CONSPIRACY to ALTER the LEGAL FRAME of the GOVERNMENT and CONSTITUTION of THESE REALMS, and with MEETING TUMULTUOUSLY at MANCHESTER, on the 16th AUGUST LAST, with 60,000 PERSONS, MANY ARMED WITH STICKS, WHICH THEY CARRIED ON THEIR SHOULDERS LIKE FIRE-ARMS, and with BEARING FLAGS and BANNERS, on which were INSCRIPTIONS and DEVICES CALCULATED to INFLAME the MINDS of his MAJESTY'S SUBJECTS AGAINST the CONSTITUTED AUTHORITIES of the STATE. There were several counts, varying the form of the indictment, but in substance implicating the accused in a conspiracy against the State.

The following Jury were sworn to try the case :—

William Hall, Esq Foreman	Thomas Robson, Esq
William Chaytor, Esq.	Timothy Hutton, of Clifton, Esq
Thomas Parker, Esq. of Layton	George Beswick, Esq.
John Hutton, Esq. of Marsh.	John Chadwick, Esq.
George Atkinson, jun. Esq.	William Selby, Esq.

A *tales* was prayed, and the following names added to the special list :—Septimus Bromley, of Sculcoates, near Hull, and George Addy, Esq.

The last Juror expressed a desire to be exonerated from attending on this Jury, but as he had no persona objection, the Court declined excusing him, and the abovenamed gentlemen constituted the Jury.

Defendants conducting their own defence were permitted to remain at the Counsel table, where Mr. Hunt took his station.

Mr. Barrow appeared as Counsel for Mr. Moorhouse, and Mr. Holt for Mr. Laxton.

Mr. Littledale opened the pleadings, and at half past nine o'clock.

Mr. SCARLETT proceeded to address the Jury. They had heard, he said, from his learned friend who opened the pleadings, the nature of the charge preferred against the defendants which they were now about to try. It was impossible not to perceive that this prosecution arose from certain recent transactions, which had very much agitated the public mind—transactions that were combined with circumstances of great political importance, and which were calculated to create a

most extensive and powerful interest in the country. It was, therefore, to be supposed, that hardly any one of the gentlemen of the jury could be a total stranger to those matters which this prosecution now brought under their consideration. At the same time, he felt a perfect confidence in addressing himself to gentlemen of their description, and he was sure they would agree with him, when he said that they owed it as a duty to the country, and to the proper administration of public justice, to dismiss from their minds all impressions favourable or unfavourable on this subject, and, as far as lay in their power, to forget every conception they had previously formed on a question of such vital importance. It was for them to wait till they had heard all the evidence connected with the case, and then to decide by it, and by it alone. For his part, he must commence by stating his peculiar satisfaction that this case came to be tried before a special jury of the county of York. Looking to the question which was to be tried, in a constitutional point of view, and on public grounds, it was exceedingly desirable that the parties accused should be arraigned before a jury that could not possibly be affected by local or personal prejudices. If he had an important cause to decide, he knew no set of men before whom he would sooner have it discussed than before an enlightened and experienced jury of that county; the gentlemen of which had long held a high and proud character for entertaining a proper sense of public duty and of private honour. On the part, therefore, of the prosecution, as well as on that of the defendants, he was perfectly satisfied with the choice that had been made. It gave to him an oppor-

tunity of addressing men wholly unprejudiced, who were devoid of any local feelings, and would give way to no impression, save those which arose from the case itself, as it should be hereafter developed. They must be aware that the charge arose out of transactions which took place in the month of August last, in the county of Lancaster. The parties were accused of having convened a meeting at Manchester, the object of which was to excite fear and terror in the minds of his Majesty's subjects; this was the short description of the crime alledged against the defendants. The circumstances which occurred at the time of the meeting were matter of evidence, and would throw considerable light on the projects of those who took part in the proceedings. The individuals who appeared before them as defendants were singled out as having been among the leaders of those who assembled at the meeting alluded to. With respect to public meetings in general, it was requisite for him to say a few words in the outset, as to his conception of what constituted a legal assembly in this country. It was undoubtedly the privilege of the people of England, stating the proposition in a broad and unqualified manner, when they suffered under any grievance, to assemble at a public meeting, and to pursue the lawful mode of address. But the meeting in question was not of this description: it was of a nature unknown to the constitution. In former times it was customary for counties, towns, districts, or particular classes of individuals, united by one common interest, in the pursuit of one common object, to meet together. Thus, for instance, where a particular trade was affected by a particular law, the

parties interested, met to petition for its repeal. If a particular class of persons were oppressed by any grievance, they also assembled together to petition for its removal. If a Lord-Lieutenant, or the High-Sheriff of a county, were informed that the freeholders had to complain of something that operated against their interests, the practice of the constitution enabled him to call a meeting for the purpose of petitioning either the throne or the parliament. But he had never heard it stated by any lawyer, and he trusted he should never hear it decided, that it was a right, sanctioned either by the law or constitution of this land, for any person who pleased to call all the people of England together in one place, there to discuss political measures, and to lay down particular modes by which they might obtain redress. He would tell them why such a proceeding could not be legal. No man could deny that the great physical force of every community consisted in the mass of the people; and those who looked for the most extended reform, admitted that all power and all right were derived from the meetings of the people at large. Therefore it was clear that the people, when they met to frame the groundwork of a constitution, went back to the origin of society, and annihilated that state of things which had previously existed. Let it be imagined that the bulk of the population met together to discuss public affairs, and to take into their own consideration such measures as they might deem proper for the alteration of the existing order of things—it wss evident, as all power and right were derived

from the people, that they would in that case resume their original functions, and the government must be for the time dissolved. Hence it followed, beyond all controversy, that public meetings of the people, without any legal foundation, whether they assembled from their own private will or under the direction of some demagogue, who for a time possessed some influence over their minds, for the purpose of carrying into effect, by such means and in such manner as they might think proper, an alteration in the constitution of the county could not be a lawful assembly as the constitution at present existed. If they could suppose a case—of which indeed modern times gave no example—a case in which a vast number took a part in the government, it would not shake his position. History told them that Athens was the most perfect specimen of a republican government. There 30,000 citizens met to discuss matters of state. But as this was a component part of the government itself, as it was interwoven with their system, such a meeting was undoubtedly constitutional. But even at Athens, free as its constitution was with respect to the citizens, who were allowed to express their opinions on questions affecting the state, still the greater part of the inhabitants were consigned to slavery, and were not allowed to interfere in the business of the state. These were all the remarks he would offer, to point their attention to the character of the meeting which they were called on to consider. He took it in the outset as a principle not to be contested, that the people of England had a right to meet for the purpose of petitioning against grievan-

ces, when those meetings had no factious disturbance in view, when they were not intended to alarm the minds of peaceable and moderate men. He hoped that nothing would ever be done to interfere with this right, for which their ancestors had successfully fought; but that, as it had been handed down to them unimpaired, so would they hand it down unimpaired to their posterity. He would now proceed to notice the different individuals who were charged in the indictment. Of Mr. Hunt it was unnecessary that he should say any thing, because his name had appeared so much of late connected with these transactions, as to leave no doubt on the mind of any man as to his character and avocations. The others were more obscure; they were very little known, and he should therefore state who they were, premising that they were charged with assembling, and inciting others to assemble, to disturb the public peace. John Knight had formerly been in business; his occupation had latterly been that of an itinerant orator.—Joseph Johnson was a brush-maker, residing in or near Manchester, and he believed was also in the habit of attending public meetings.—Of John Saxton all the description which he had was, that he was some way or other connected with the office of a paper called *The Manchester Observer*.—Joseph Healey was an apothecary.—James Moorhouse was a coach-master, residing at Stockport.—George Swift carried on the business of a shoemaker at Manchester.—Of Robert Wylde he knew nothing but that he lived near Ashton-under Line.—Samuel Bamford and Robert Jones were individuals in humble circum-

stances. The Jury would find, by unquestionable evidence, that these persons were connected in some sort of secret design. He would be able to show the course which the parties respectively took when he called his evidence, and therefore it was not necessary for him at that moment to state the specific acts of each; it would be sufficient to give a general view of their proceedings. To begin, then, with Mr. Hunt. It appeared that some time in the month of June, in the last year, a meeting took place in Smithfield; he knew not by whom it was assembled, nor was it of any consequence. It created, however, considerable alarm in the metropolis. Resolutions were however passed at that meeting, inculcating on the minds of the people of England that the time was come when some extraordinary and unprecedented measure was to be taken. Indeed, those resolutions went to disfranchise all those, who, according to the established law of the land, were invested with political and representative power. It was known that Mr. Hunt was the person who proposed these resolutions, among which there were two inviting and recommending the people of England to resist the payment of taxes, declaring that they were not bound to obey any laws enacted by the parliament as it was now formed; and therefore, for some reason, which the mob in their enlightened wisdom had found out, calling on them to pay nothing towards the revenue till such a parliament was assembled as they conceived it was proper and fitting they should have. He alluded to this meeting, of which Mr. Hunt was the head, as the probable cause of his being

subsequently invited to preside at a meeting at Manchester. That, he believed, was the result of the Smithfield meeting. It appeared, that on the 9th of August a meeting was projected to be held by the people of Manchester, for the purpose of considering public grievances, and discussing the question of parliamentary reform, and also to elect a representative, to be returned by themselves, to sit in parliament. This was a measure which no man could contend fell short of the highest misdemeanor which could be committed. It was a denial of the authority of all law, and an interference with the prerogative of the King himself, without whose sanction, from the earliest periods, no person had the right to return members for Parliament. It was well known by those who understood the history of the country, that Parliaments had originally been called by the Crown, and that a long series of circumstances and many happy accidents had concurred to place parliament in the situation in which it at present stood. But to return to the history of these proceedings. On the 8th day of August Mr. Hunt arrived at a place called Bullock-smithy, about nine miles from Manchester, and three miles from Stockport. He was here joined by Moorhouse, who took him to Stockport, and on the morning of the 9th they were joined by Johnson. The party made a progress towards Manchester, accompanied by Sir C. Wolseley and others. The notice of a meeting at Manchester had, it seemed, attracted the attention of the magistrates, and the meeting was prohibited by them. By their orders, placards were stuck up in the town, stating that the

people, were called upon to do a thing highly illegal. Mr. Hunt, it appeared, was extremely angry at this prohibition, or rather, at the conduct of those who were to have met together, in yielding to it; and they would find, that on the evening of the 9th he was haranguing the people, and speaking of the magistrates who prohibited the meeting, by the appellation of No 9 in allusion to nine tailors. He used terms of extreme reproach and contumely in mentioning these gentlemen, declared that he conceived the object of the people to be legal, stated his opinion that they were acting in a weak manner to yield to the suggestions of the magistrates, and inviting them to meet him on the 16th of August. The obscure situation of most of the people residing at Manchester—their habits of labour, and the moderateness of their circumstances—had induced them to pay some respect to the magistracy, who constituted the sole authority there, as there was no corporation, or any body of that description. Their conduct when the prohibition was issued, afforded a sort of security that they were rather disposed to take the advice and obey the authority of the local magistrates; but when Mr. Hunt came down to Manchester, (he having been occupied in assembling mobs at other places,) and said that the people behaved pusillanimously, and that the time was come for acting, he induced those persons, in the face of the constituted authorities, to determine on a meeting. He gave notice that a meeting would be held on the 16th of August—not a meeting of the inhabitants of the town of Manchester, but of the population of the "arround"

ing country. Having given this notice, that the meeting of the 9th was adjourned to the 16th of August, he proceeded to the residence of Johnson, near the town of Manchester' which he understood to be called Smedley cottage. Whilst he was there, he would show the Jury that Mr. Hunt received a visit from Knight, another of the defendants. As Mr. Hunt had acquired a sort of popularity in the town of Manchester, which it was not difficult for a man to do who headed a mob, and spoke the language of sedition, he proceeded to mature the plan of the meeting. The magistrates now received information, on which it was very difficult to act. They were informed that movements had taken place among the people composing the immense population of the neighbourhood of Manchester, in the dead hour of the night, 5, 6, and even 10 miles off, which were of a nature quite unprecedented. The magistrates thought it necessary to take measures for the preservation of the peace: they felt that the calling of a meeting by a person who had no connexion with the town, who had no property in or about it, was likely to lead to serious mischief. They determined to ward off the evil; and the prudence of their determination appeared evident when they were informed that on the 15th of August, in the night time, a number of persons assembled at a place called White Moss, and had been observed going through the evolutions of military discipline in such a manner, that no one who had seen soldiers performing their exercise could entertain a doubt that the persons thus employed had some ulterior object in training

at such an hour. The two persons who gave the information, drew near to these individuals—so near that they were discovered and pursued; they were followed by bodies of men detached from the main body, and, when overtaken were beaten most unmercifully. One of them, of the name of Murray, was discovered to be a special constable: he was obliged, in order to save his life, to fall on his knees, and abjure his allegiance. This circumstance would give the Jury some idea of what the object of these people was.

Mr. Hunt here interrupted the learned Counsel. He wished to know how the learned gentleman meant to connect this circumstance with the charge alleged against him and the other defendants.

Mr. Justice BAYLEY said, the learned Counsel was, perhaps, introducing this as a matter which would be connected by collateral evidence with the general charge.

Mr. Hunt objected to the introduction of the circumstance which the learned Counsel was stating, as having nothing at all to do with the specific charge.

Mr. Justice BAYLEY said, he had a right to suppose that the learned Counsel would not introduce any circumstance which was not material to his case, and that he would not advert to any fact which he did not believe that he had evidence to prove. If he acted otherwise, the result would be beneficial to the defendant's case, and certainly not to his.

Mr. Hunt said, he felt himself happy in being placed under his Lordship's protection.

Mr. SCARLETT proceeded. He had, he said, too long been acquainted with the duties of his profession, to introduce, to the prejudice of the defendant, matter which he did not think he was warranted in stating. He would inform the defendant, if it were any pleasure to him, that he would endeavour to connect him deeply and criminally with the circumstances of which he had just been speaking. On the morning of the 15th August circumstances took place, which appeared to throw some light upon those motions which were observed in various parts of Manchester and its vicinity. The magistrates of Lancashire having received an intimation that a gentleman from London had been preaching his dissatisfaction to the populace on account of the prohibition of the meeting of the 9th, and that he had declared his intention to hold a meeting on the 16th, deemed it prudent to take those precautions which were necessary, when vast assemblies of the people were assembled together for any purpose whatsoever. It was now his duty to open a scene, which, he would venture to say, in the whole history of public meetings in this country, had no equal. What was this meeting intended to be? Was it to be a meeting of the inhabitants of the town of Manchester? Was it ultimately not a meeting as it was reported it would be? Although the notice was not so definite as to exclude persons who were not inhabitants of Manchester, yet, as it was published in that town, and was more especially disseminated amongst the people there, the inference was, that the meeting was intended for the inhabitants of that place.

But what occurred on the morning of the 16th of August? He here begged of the Jury to direct their eyes to the map which he held in his hand.

The learned Gentleman then proceeded to illustrate his observations, by pointing out the situation of Manchester, and the different villages in its neighbourhood. This, said he, was the position of the town of Manchester—a town containing in itself an immense population, second, perhaps, only to that of London. Manchester was divided into twenty-four townships, and was far more populous than other parts of the kingdom. That population consisted for the most part of the laborious and industrious order of persons, although there certainly were many who possessed much wealth and property there. The very nature of such a population rendered it necessary to observe more than usual precaution when they were assembled together, without any definite object. But, in addition to the danger which might be apprehended from a meeting of inhabitants, it was found that greater evils might be apprehended from the influx of vast numbers of strangers. On the morning of the 16th of August, it appeared that bodies were seen advancing towards Manchester from various places, some of them at the distance of 10 or 12 miles from that town. They were provided with banners, the inscriptions on which he would by-and-by describe to them, and they marched upon Manchester with all the regularity of an army. From Rochdale, from Lees, from Middleton, from Oldham, from Stockport, and from many other places,

which would be named in evidence, parties might be seen marching towards Manchester. Indeed from every point of the compass persons might be observed arriving there, manifesting all the discipline of soldiers, and differing from them only in this, that they had not uniforms and arms. At Middleton Mr. Bamford was seen placing in marching order a body of 2,000 men, they were without uniforms but he displayed talent sufficient to put them through their evolutions. He addressed them, and gave to each pieces of laurel leaf, that they might distinguish one another. Two thousand were more seen marching from Rochdale. It would also be found that Mr. Healy, another defendant, advanced from Oldham with a body of men. He would not say that this defendant commanded that body, but he would prove expressions of a very extraordinary nature uttered by him, when he was, as it were, singing in triumph, in anticipation of the glories of that day. The town of Manchester was in fact, surrounded by an immense force, who appeared as if they were going to invade it. Every road which approached the town was covered with parties marching in a military manner. This was going on, he believed, up to 11 o'clock in the day, and amongst those who were advancing to the town, some of the individuals who had been training at White Moss were recognised. It was necessary that they should pass the house of Murray the constable, who had been extremely ill, and unable to remove from his bed in consequence of the bruises he had received. The party stopped opposite his house and huzzaed, and gave,

evident tokens that they recollected the proceedings of the former day. They hailed him either to confirm him in the abjuration of the former day, or to intimate to him, that if he gave information he might expect their vengeance. At 11 o'clock Mr. Hunt and his party were preparing to enter the town from the residence of Johnson. He came in an open Barouche, and he, Johnson, and Moorhouse, were seen to approach the place where the meeting was assembled. Mr. Hunt was attended by a triumphant band; the Middleton and Rochdale force had united—they became his guards—and thus surrounded he advanced into the town of Manchester. The first place, he was told, which they approached, was the house of Murray the constable. When they came opposite to it, Mr. Hunt took the command of the body; he stood up in the barouche, and commanded them to halt. The same expression of feeling was then shown as had previously been manifested by the party which had gone before him, and much hooting and hissing took place. Mr. Hunt then made his way to Deansgate; and, on passing the Star Inn, where the magistrates were assembled on one of the most arduous duties they could possibly be employed in, he ordered his corps to stop again, and the magistrates were assailed with groaning, hooting, and hissing—a pretty good exemplification of the manner in which they would have been treated had he been in authority. He next passed the place where the head-quarters of the constables were held, whom they also treated in the same manner. Mr. Hunt ultimately proceeded in tri-

umph to the place of meeting, which had been previously visited by the other defendants. While the forces which he had described were assembling, Saxton, Swift, Knight, and all the remaining defendants, were employed in preparing hustings for Mr. Hunt. The magistrates determined that a line of constables should be formed from the house in which they assembled to the cart on which the hustings were formed; and it would be proved, that when those parties found that the constables approached so near to them, they caused the hustings to be removed fifteen yards farther back; and the mob (he did not mean offence by using the word) formed in great strength around the waggon, in order to protect it.' Speeches were made by two or three of those whom he had mentioned, particularly by Jones, who said it was the direction of the committee (so that there was, it seemed, a committee) that they should take close order till Mr. Hunt came. They were then to open and let him pass, after which they were to close immediately; and they were to take particular care not to let any but friends enter, as their enemies were abroad. The Jury would also find, that most of the parties when they approached were provided with large sticks, which they shouldered and brandished as they marched along. They were all provided with ensigns and banners, and advanced either 6 or 4 abreast, with a firm military step, and presenting every appearance of troops upon their march. When they arrived at St. Peter's area, the word of command was given, and they wheeled off with perfect regularity, and took the ground which their

commander directed them to occupy. One of them, Healey, was particularly active on this occasion; and indeed every thing connected with the entrance of those large bodies of men bore the appearance of an established and cultivated habit of military discipline. Next came Mr. Hunt with the largest band, consisting of more than 4,000 men. He ascended the hustings, and his partisans took their places around, displaying their flags and banners. On some of these flags they would find described the words, "Equal representation or death." What could be the object of such a sentiment as this? He spoke to the Jury as men free from all prejudice; but he took it for granted that they were men who at least wished for no violent revolution, for no reform except that which could be effected by legal means. He would ask them to lay their hands on their hearts and say, what good object could those have in view who exhibited a flag bearing such a motto. They were not met there to discuss whether the present state of the House of Commons was the best that could be imagined. Good and wise men differed on this point; but, whatever difference of opinion might be entertained upon such a subject, of this he was sure, that there was no man, who considered the question rightly, that would not stand by the law and constitution of the country, if threatened with violence, as they were now administered, that would not resist to the uttermost, an attempt to make a forcible alteration in the present system. "Equal representation or death" was by no means a vague expression; and he thought the mob, with all respect for

those who had a better opinion of their understanding, had better attend to their different avocations, instead of discussing political opinions, for which their education did not always qualify them. Were the mass of the people to be told, by those who urged them on, that equal representation was to be purchased even at the expense of their head? Were doctrines to be disseminated, which no man durst utter with his lips, though he might display them on his banner? Were they to be taught to consider equal representation as the *sine qua non* of their existence, and that they should rather perish than not secure it? Another banner bore the inscription of "No Corn Laws." He came not to that Court to discuss whether the law on the subject of corn were good or otherwise; he had his opinions on the question, but it would not be decorous or proper to state them there. He knew that wise men might sometimes frame a mischievous law; but it was not to be removed by riot and violence. He would suppose every Honourable Gentleman in that box was as much an enemy to the Corn Laws as the persons who thought themselves most aggieved by them; but would it not be a most dangerous thing to say to a mob of 60,000 persons, for the purpose of getting rid of such a measure, particularly when the minds of the people were irritated and inflamed—would it not, he asked, be an appeal of the most inflammatory nature to say to them "We will have no Corn Laws; we will force the legislature to do as we please?" This was not an election appeal. What object could it have but to inflame their feelings—to induce them to decide on a

question with respect to which they were ignorant, and those who affected to instruct them were not well informed? Next came the inscription of "Annual Parliaments": there were men in this kingdom, and no doubt respectable and honourable men, who thought Annual Parliaments would be very useful: but would any of those individuals say, that such a proposition was to be carried by violence as the *sine qua non* of their existence? Let the people meet to petition for reform—let them submit to parliament what they thought expedient for the public good—and no man could complain. But was it the business of a public meeting to dictate to parliament, and to declare that they would effect a certain object, or they would have nothing? The next inscription was "Universal Suffrage and Election by Ballot": These two points, with annual parliaments, were the three pretexts which were advanced for calling this assembly. Seeing that Mr. Hunt (whom he had heard defend himself on other occasions, who had more talent than the mere itinerant orators who travelled about from place to place) was at the head of that meeting, he felt considerable surprise that he did not perceive that those three terms, taken together, meant nothing but an entire subversion of the constitution: but as long as these questions were *sub judice*, what right had any man to say, "We will, in spite of all opposition have these three things"? To do so was illegal; and it was most unfit that, on the subject of public grievances, the mob should be suffered to dictate to the legislature. Let them meet and petition: let the weavers and shoemakers, and other artisans

in this kingdom. who were destined to get their bread by the labour of their hands, inform the legislature of the best course to be pursued, with respect to public affairs, if they had more wisdom than those by whom they were now conducted. The law enabled them to do this; but let not demagogues state to them that those three points were the only things which could be got to serve them ; they ought not to do so, for this reason—because, when the mob got hold of a grievance, they were apt to consider it as the great source of all their evils, and they were at length led to believe that the removal of that alone would operate as an effectual panacea to cure the whole of their complaints. The ridiculous folly of a mob had been exemplified in a most humourous manner by that eminent painter, Mr. Hogarth. It was found necessary many years ago, in order to prevent a confusion in the reckoning of time, to knock eleven days out of the calendar, and it was supposed by ignorant persons that the legislature had actually deprived them of eleven days of their existence. This ridiculous idea was finely exposed in Mr. Hogarth's picture, where the mob were painted throwing up their hats, and crying out " Give us back our eleven days." Thus it was at the present time; that many individuals, who could not distinguish words from things, were making an outcry for that of which they could not well explain the nature. Another inscription was, " Let us die like men and not be sold like slaves." Who, he should be glad to know, had been selling the people of Oldham, of Rochdale, of Middleton, and of the other places, the inhabi-

tants of which went to Manchester that day? He never heard of any such sale; but some person, who did not choose to speak these words, thought fit to place it on his banner. The pole, to which one of the banners was affixed, was surmounted by a pike-head, painted-red, as if to show the sanguinary feelings of those who bore it. Another flag had painted on it a dagger. God forbid the time should ever come when they should see any man, who had the courage to declare to the people of this country, that the dagger was the instrument by which lost rights were to be recovered. But he was afraid that though no man had the courage or audacity to preach such a doctrine to a mob, yet that there were persons who had insinuated that the dagger was a fit weapon to be used—and he would make no farther comment on the consequeuces which such a doctrine had led to. A dagger was not the weapon which Englishmen were wont to use, and he trusted that those who said our rights were lost, and wished to regain them, would not declare to the people that they should arm themselves with such an instrument; because he was sure, the moment the people imbibed such a feeling, they might give up all idea of a free constitution, of morality, or order, of all that was dear to them. He had thus described the form in which the people assembled, and the progress of the meeting. What was that meeting? Was it a meeting of the people of Manchester, or the county of Lancaster?---No. Was it a meeting of a particular trade to procure the repeal of some obnoxious bills?---No. Who assembled at it, and who presided over

it? Were the former inhabitants of Manchester? and was the latter any person interested in the welfare of the town, or intimately connected with the county?—No. These were questions, however, which must be left to the Jury to decide. This at all events, he knew, that the effect of the meeting, whatever might have been the design of those who called it, was to strike terror into the minds of his majesty's subjects. Would any man whatever tell him that the respectable inhabitants of Manchester must not have felt great alarm when they saw the shoemakers, the weavers, the journeymen of all descriptions, advancing towards that town as if to invade it? The law had determined that any meeting of people, even for a legal object, in such array and such numbers, was an unlawful meeting. But did it require law-books to tell them that? Why had they laws to prevent the rude hands of power from destroying and devastating property? But if they were to be told that a mob might be suffered to advance from every part of a county, to the terror of the peaceable inhabitants, their laws would be of little use, and it would be better to return to a state of nature—to sink into the original mass—and declare that force must be repelled by force. Let individuals look to the consequence of such a system. If meetings of this description were to be tolerated, it would be impossible to sustain the constitution of the country, except by means of such an increase of the military force as no good man, as no man who loved the constitution, wished to see established in a time of peace. The common civil power could not do any

thing against such numbers; for what could 60 constables effect against as many thousand individuals? The magistrates of Manchester finding the meeting drawing together in this manner, perceiving parties coming from different quarters, and not knowing to what distance the ramifications of the system might have extended—perhaps to Birmingham, or more distant places; seeing also that the assembly was headed by a man who had no local connexion with the town, thought it necessary to interpose. They proceeded to do so, particularly as it was deposed by various persons in the town that they felt considerable alarm. They in consequence issued warrants, and the defendants were taken into custody. With what passed afterwards he had nothing to do; his task closed here. He would now briefly recapitulate the offence which was imputed to the defendants. They were accused of having met together in great numbers, with flags and banners, to excite alarm in the minds of his Majesty's subjects. This was charged as an unlawful meeting, and they were arraigned for having taken a part in it. If this were proved, (and, although he could not be responsible for the evidence, he believed it would be proved,) the Jury must return a verdict of guilty. At the same time, he called on them to bestow their best attention to all that the defendants might urge in their own behalf, as it was a maxim of law that every indulgence should be extended to an accused party.

(Mr. Scarlett's Speech lasted one hour and thirty-five minutes).

EVIDENCE.

The first witness called was Thomas Tiddler.

Examined by Mr. Serjeant Hullock.

Q. Where do you live, Mr. Tiddler?

A. I keep the Red Lion, three miles from Stockport.

Q. Do you recollect Mr. Hunt calling at your house in August last?

A. Mr. Hunt came with a servant on the afternoon of the 9th of August last; he baited his horse, and dined at my house.

Q. Do you know Mr. Moorhouse?

A. I do.

Q. What is he?

A. He is a coach proprietor and auctioneer at Stockport.

Q. Do you recollect Mr. Moorhouse coming to your house about the same time?

A. Moorhouse came immediately after in a post-chaise with his brother, and inquired for Mr. Hunt, who had just left my house.

Q. What did he do then?

A. After stopping five or ten minutes, he went off in the direction Mr. Hunt went, towards Stockport.

Q. Was Moorhouse in the neighbourhood before Mr. Hunt left your house?

A. When Moorhouse first came in the neighbourhood of my house, Mr. Hunt was at my house, but the former did not then enter.

Q. How long did Mr. Hunt stop at your house?

A. About four hours.

Cross-examined by Mr. Barrow.

Q. Did Mr. Hunt meet Moorhouse at Bull-Smithy?

A. The report was not true that Mr. Hunt was met by Moorhouse at Bullock's Smithy, and conducted on to Stockport.

Q. State all you know of what occurred at that time?

A. All I know is, that Mr. Hunt had gone from my house before Moorhouse came there.

Q. Do you know Moorhouse perfectly well?

A. I have known Moorhouse intimately these dozen years; and he is in the habit of stopping at my house when he passes that way.

Q. Is he in the habit of attending public meetings?

A. I have heard he attended public meetings since the 16th August; but I cannot state it as a fact. Before that time I never heard that he did.

Cross-examined by Mr. Hunt.

Q. Is your inn much frequented?

A. Mine is the principal inn at Bullock's Smithy.

Q. Moorhouse, you say, stopped opposite your house, in the morning, but did not call; but he called on his second visit when I was gone?

A. Yes.

Q. Was it generally known that I was there?

A. It was a matter of public notoriety that you was there.

Q. How long did I stop?

A. About four hours.

Q. Did Mr. Johnson, of Manchester, call?

A. No.

Q. Did any other person call?

A. One Jump did, and asked to see you; he was admitted.

Q. Do you know any of the other defendants?

A. I know none of the other defendants; all I know is, that, by your permission, I conducted three successive parties of two each into your room.

Q. Was the door locked?

A. The door was not locked, any body who inquired was admitted.

Q. Did you see any thing to excite your suspicion of a plot?

A. I know of no plot carried on there.

Re-examined by Mr. Serjeant Hullock.

Q. Did the parties admitted to Mr. Hunt appear to be friends or strangers?

A. The parties admitted to Mr. Hunt were strangers to him.

HENRY LOMAS *sworn—examined by Mr. Cross.*

Q. Did you live at Stockport on the 8th of August last?

A. I kept the White Lion, at Stockport, on the 8th of August.

Q. Do you recollect Mr. Hunt, and either of the other defendants calling there about that time?

A. Late on that night Mr. Moorhouse and Mr. Johnson came to Mr. Hunt at my house; and also early on the following morning, when they were joined by a stranger and a crowd of persons. I saw the Gentleman who was called Sir Charles Wolseley, and at a late period of the morning of the 9th of August, Parson Harrison joined them.

Q. Have you observed such crowds frequently at Stockport?

A. Such crowds were not customary at Stockport, except when Mr. Hunt was making his speeches. They went (or some of them) into Mr. Moorhouse's house,

where chaises were getting ready in the yard. One gig was also there into which Mr. Hunt and Sir Charles Wolseley entered, and Moorhouse and Johnson went into a chaise, and went off altogether towards Manchester.

Cross-examined by Mr. Barrow.

Q. Do you know Mr. Moorhouse?

A. I know Mr. Moorhouse perfectly well, and that he worked stages on that line of road.

Q. Does he not take in horses to bait?

A. I don't know that he takes in other horses than his own to bait. He took in Mr. Hunt's, certainly, at that time. I can't say that Mr. Moorhouse has been in the habit of addressing public meetings, but he certainly had two, three, or four crowds about this time, when he used to be speaking to large meetings on the road.

Cross-examined by Mr. Hunt.

Q. What line of business do you follow?

A. My business is a publican.

Q. You also keep a chaise to let, do you not?

A. I do.

Q. Mr. Moorhouse also keeps a chaise to let?

A. He does.

Q. You are rivals then?

A. I am not a rival of his.

Q. Have you known meetings at Sandy-brow?

A. I have known public meetings at Sandy-brow, and attended them.

Q. Have you seen Mr. Moorhouse at either of those meetings?

A. I never saw Mr. Moorhouse there; if he had, I should have recollected it.

Q. You are something besides a publican. Have the goodness to say what other capacity you sometimes act in?

A. I am one of the yeomanry, and was called upon in that way to attend the meetings; the same cause led me to Manchester on the 16th August.

Q. You said that crowds attended on Mr. Hunt and Moorhouse?

A. I have said that crowds were there to hear Hunt's and Moorhouse's speeches.

Q. Have you seen such crowds after the Duke of Wellington? Did you see such a crowd follow Mr. Cross after the Derby Trials?

A. I never saw crowds about the Duke of Wellington, nor around Mr. Cross, the learned Counsel, after the Derby trials.

Q. Did you attend the Manchester meeting on the 16th August?

A. I was at St. Peter's-field, Manchester, on the 16th.

Q. What company did you serve in on that occasion?

Here the witness smiled, and on being asked the cause, said, I could not help laughing at it, for we had no right to be called there.

A. I was in the Cheshire yeomanry at the dispersion of the Manchester meeting.

Q. Why did you laugh?

A. I laughed because it was a fine day, and we had no right to be called out.

Q. What did you observe on that occasion?

A. I saw no particular transaction that day.

Q. You had on your uniform and were armed ?

A. I had on my uniform, and had sword and pistols ?

Q. Did the people march in military order.

A. I saw no marching in array, except among the yeomanry and soldiers—no invasion of Manchester; but I saw flags and banners.

Q. At what time did you arrive on the ground ?

A. I was at St. Peter's-field betwixt one and two o'clock, and remained perhaps an hour, or an hour and a half.

Q. What did you see transacted ?

A. I saw nothing particular but the people running one way or another.

Q. What did the Cheshire yeomanry do ?

A. The Cheshire yeomanry remained still—they cut no body, though I saw some people down.

Q. Did not the cutting the people down attract your attention ?

A. It did not attract my particular attention.

Q. Did you observe who it was that smote the people ?

A. I cannot say who cut the people.

Q. At what time did you leave Stockport ?

A. I do not know at what time I left Stockport; it might be about 7 or 8 o'clock; between that and one I was where Captain Newton choosed to take me in the neighbouring county.

Q. What were you doing while the people were endeavouring to get away ?

A. The Stockport troop had nothing to do with the running away of the people.

Q. Did you get any of the flags ?

A. I saw some flags which the cavalry had in their

Note.—No. 2 will be published on Tuesday morning. It will be printed closer, and will consequently contain more than No. 1.

hands; how they came into their hands I cannot say.

Q. Did not the Stockport get a few flags?

A. Some colours got into our hands; two, I believe; but how I don't know. We took back one of the flags to Stockport. I never saw it since.

Q. Were your swords drawn or sheathed when you came upon the ground?

A. Our swords were drawn before we came upon the ground, by order of our officers.

To other questions this witness answered---When we got to the ground, the people were all running away except a few---we halted at the instant and dispersed nobody; I saw no resistance made to the Stockport troop; saw persons going to the meeting, but not in battle array. I saw nothing to call for the interference of our troop. We were formed to the left of the 15th, but not in sight of the hustings, nor could I see what was going on in the turnpike road.

Mr. SCARLETT here objected to the relevancy of this course of examination.

Mr. Justice BAYLEY explained to Mr. Hunt that what followed the meeting of the 16th of August could not affect his case. The charge against him was for a conspiracy entered into previous and upon that day, before the dispersion. He might, however, question the witness a little out of the line, if he meant to impeach his credibility.

Mr. Hunt thanked his Lordship, and said that was his object.

MICHAEL BENTLEY *sworn.*

Examined by Mr. Serjeant Hullock.

I live at Newton Norris, near Stockport, and was there on the 8th of August last, and saw Mr. Johnson there in the evening of that day in a gig with Mr. Hunt, going towards Stockport. I saw Mr. Hunt with the gentleman they called Sir Charles Wolseley on the following day.

Cross-examined by Mr. Hunt.

Q. You know Mr. Johnson? Is he here?

A. I know Mr. Johnson, but do not see him here.

Q. Are you a yeoman?

A. I am not.

Q. What line of life have you followed?

A. I was formerly in a counting house.

Q. Were you at the meeting on the 16th of August?

A. I was at St. Peter's-plain on the 16th of August.

Q. How did you go?

A. I went there in a coach.

Q. Where were you stationed, and what did you observe?

A. I was stationed behind the hustings, and did not see the people commit any illegal act before the appearance of the military.

Q. Did you observe a disposition to riot and commit violence?

A. I saw one or two men act very rough and insolent.

Q. How many people do you think there were assembled?

A. I think there were about 50,000 or 60,000 persons, but I only saw one or two who were a little rough.

Q. What was your motive for going to the meeting?

A. I went from curiosity. I saw the Stockport people advancing; they did not alarm me. I was alarmed afterwards when the cavalry appeared.

Q. Were the persons who behaved insolently armed?

A. I saw no arms with the persons who behaved insolently; I saw nobody cut that day. I saw one constable hurt; he was pressed down in consequence of the people going from the cavalry. When the cavalry approached I was a little alarmed, and got amongst the constables; some of whom I knew.

Q. You knew some of the constables you say?

A. I knew Mr. Nadin. I saw an opening of constables, a body forming two rows from the house where the magistrates met, up to the hustings.

Q. Did you see Mr. Nadin there?

A. I saw Mr. Nadin on the spot; but I did not see him insulted by any one.

Q. Did you hear me address the people, what did I say?

A. I heard you address the people, and request them "to be quiet and peaceable".

Q. What was the general conduct of the people before the arrival of the cavalry?

A. With the exception of one or two persons, who forced their way through the constables, I saw nothing but peace and quietness among the people until the cavalry arrived.

To other questions Witness answered—I do not know Mr. Platt or Mr. Derbyshire; I do not know that the persons who behaved riotously were among those charged here this day.

By Mr. Barrow.

I know Mr. Moorhouse; but do not particularly recollect whether he was on the hustings. I saw him in the carriage. I do not know what became of him after he left the carriage.

Re-examined by Mr. Sergeant Hullock.

Though I do not recollect having seen Mr. Moorhouse on the hustings, I remember having seen him in the carriage. Mr. Hunt, Mr Johnson, and two or three ladies were also in it. The carriage was a long time coming to the hustings. There were plenty of banners; one of the ladies, who sat on the coach-box, carried a flag. The carriage approached close to the hustings, and persons came out of it. I saw Johnson on the hustings; but whether Moorhouse transferred himself from the carriage in which I saw him to the hustings, or not, I cannot say. I passed the Stockport people in the morning; they amounted to upwards of a thousand. I heard a few words of Mr. Hunt's address. He said, "if any people break the peace they must put them down, keep them down, andmake them be quiet." I cannot recollect any other words.

By the Court.—I cannot judge how many of the people Mr. Hunt could make hear him in so large a concourse.

MARY CADMAN *sworn.*

Examined by Mr. Littledale.

I know Mr. Hunt. I saw him at Manchester on the 8th of August. Did not make the bed for him there.

Cross examined by Mr. Barrow.

I had been a servant at Moorhouse's: he was a good religious man, and used to read the Bible very often to his family and servants. Witness went to the meeting on the 16th August. There were a number of women and children there. Was not a servant to Mr. Moorhouse then. Moorhouse took his wife there. She was then in the family way. She saw no children there belonging to Moorhouse: he has eleven children: six by his present wife.

SAMUEL MORTON *sworn.*

Examined by Mr. Sergeant Cross.

I lived near St. Michael's church, at Manchester, on the 9th of August; saw a crowd near his house on that day; there was a great noise that Johnson, Hunt, and Moorhouse were coming; they came on a large piece of ground near the church, opposite the sign of the Church public house. Hunt and Johnson were in a gig, and Sir C. Wolseley and some others in a chaise. There was a large collection of people, about 1000. Mr. Hunt got on his legs, and addressed the people. Among other things, he began making allusion to the Manchester magistrates: he compared them to nine tailors on a shopboard. This witness supposed was for forbidding the meeting, which he (Mr. Hunt) said was a legal one. He encouraged them to be firm and come forward, and no doubt they would prosper.

Mr. Hunt.—Will your Lordship tell the witness to say how I encouraged them?

Mr. Justice Bayley.—You will, by-and-by, Mr. Hunt, set all that right by your own examination.

Witness went on. He advised the people to be firm: he (witness) saw several placards forbidding the meeting. They were up in several parts of the town. They were signed by nine persons, five of whom he knew to be magistrates. There was a great multitude of people, and a noise: he could not say that Hunt made any particular allusion to those papers; but he told them there would be a meeting on the 16th, and to come forward then. There was a loud huzza, and cries of "We will, we will." Mr. Hunt waved his white hat; Johnson

was by Hunt's side; he waved his hand a little. It continued from half an hour to three quarters. They then went off to Johnson's house. There were many thousands moving about on Monday the 16th: he saw them from Withy Grove: he saw Mr. Hunt, Johnson, and others, he believes, in a carriage. There were people after them five or six a-breast. They kept step very well, like soldiers: he could not tell the numbers, but it was nearly half an hour before they passed, and they continued moving all that time. They came either from the Oldham or the Rochdale road: he heard a bugle blow, which appeared as a signal for their halting: they halted during the half-hour he mentioned. They had a black flag with "Liberty or Death." These were the words, or similar—"No Corn Laws" upon another.

Mr. Hunt here wished for the production of the flags, as their production would be the best evidence. It appeared they were taken.

The Judge said, there was only evidence as to two being taken.

The witness continued.—There were several other flags with caps of liberty at top. One had "Hunt and Liberty" on it: he saw them come opposite to Mr. Murray's house. Murray is a constable. Murray was very ill at that time, and in his bed-room. They hissed opposite the house. They also shouted out, that they wanted some *White Moss humbug*. They were halted at that time. The carriage had gone on, and was not then in sight. The town was very tumultuous, and, for myself, I was alarmed. I had lived in the town forty years, and never saw any thing so tumultuous there before. Public business did not go on as usual. I did nothing. I was afraid. There were so many running up and down, it was hardly safe.

Cross-examined by Mr. Barrow.

He did not mean to say that Moorhouse was in the carriage on that day.

Cross examined by Mr. Holt.

Did not know Saxton. (Saxton was here pointed out to him, and witness said he was a stranger to him.) He did not see him on the 9th or 16th.

Cross-examined by Mr. Hunt.

Q. What is your line of business, sir?

A. I am a fustian manufacturer.

Q. What was it that disturbed you?

A. The people running up and down in the streets.

Q. Was this before or after the procession?

A. This was after the procession.

Q. Where do you carry on your bussines?

A. I carry on my business at my own house.

Q. Was that in the street where the crowds were?

A. No.

Q. What induced you then to leave your home and business?

A. I was going about my business when I saw the people at Withy-grove. I was alarmed.

Q. When you saw this of course you returned home for safety?

A. No; I did not go home to my own business, but went on a little further, to the corner of Hanging-ditch. This was a stone's throw from Withy-grove. I was alarmed at the black flag. I thought they were going to level something.

Q. Have you any family?

A. I am a married man, and have a wife and seven children.

Q. You took care of them?

A. I took care where they were: they were at the house: there were none of them at Peterloo, as you call it

Q. Are you quite sure that none of them were at the meeting?

A. I depend on what they told me. I never went to the meeting. My lad was at his work in High-street.

Q. Why did you not go home?

A. The reason why I did not go home to my family was, that I wished to see the crowd pass. I saw the black flag. I thought there would be a disturbance and a fight.

Q. Did you see any fighting?

A. There was no fighting, but something that I did not like. There was a trumpet blowing, and they generally fight after blowing the trumpet.

Q. What is your definition of a riotous meeting?

A. My meaning of a riotous meeting is, a number of people racketing together. There were several weavers came up to Hunt without coats. There were many women and grown-up girls. Could not say whether women walked arm in arm with the men.

Q. Did the women appear to be alarmed?

A. I could not say whether they were alarmed. I saw several whom I knew at the procession on the 16th.

Q. How long did you remain a spectator?

A. I went home about 1 o'clock to dinner, though I was alarmed.

Q. Did your fears subside after you had dined?

A. I was as much afraid after dinner as before.

Mr. Hunt.—If you had been at home attending your business, you would not have seen this procession.

Witness.—Sir. if you had continued at home, there would have been no meeting.

Cross examination continued.

Q. How long have you been in York?

A. I have been in York since Sunday.

Q. Have you seen any procession?

A. Saw the processions of the candidates in the city. Saw the bands of music and the flags, but was not afraid. There was no black flag there. His opinion of the difference between the two meetings (that at Manchester and the election at York) was, that the one looked like war and disturbance, and the other like merriment and rejoicing. *[Some approbation was here manifested, which Mr. Justice Bayley strongly condemned.* His reason for making this difference was, that he had heard of the intended meeting at Manchester, and seeing the people coming, he was afraid.

Q. Were not some of the people in the York procession drunk?

A. There were some of the people in the York procession drunk. The sober procession looked more like war than the drunken one. Did not see a flag with a bloody pike on it at York; nor a flag with the motto—"We will conquer our enemies." Witness could not say whether the allusion to the conduct of the magistrates at Manchester did not arise from the wording of their notice.

Cross-examined by Mr. Johnson.

You spoke of levelling; are you not a leveller of property yourself? Witness objected to the question; but on a little explanation it appeared to refer to the witness having been discharged from Lancaster gaol under the Insolvent Debtors' Act, and that he had not since paid any of his former debts; but he had acquired no funds to do so.

JAMES STANDRIG, *sworn.*

James Standrig, examined by Mr. Littledale.

I saw Mr. Hunt on the 9th of August at the bottom of Blakeley-street, Manchester. He had just then got up in his gig to address the people. Witness was at his work, but was drawn to the spot by curiosity. There might have been about 1,000 persons there; he heard Mr. Hunt say, that the first thing he heard of the postponement of the meeting was at Bullock-smithy. There were 9 signatures to the paper, which fulfilled the old proverb, that "nine tailors made a man;" he also said something about a notorious quorum. He was astonished at any one being sent to Liverpool to know whether the meeting was legal or not; he knew himself that it was legal; he also said, that there was another meeting to be held on the following Monday, but witness did not hear him say whether he should attend it or not. Here the placard from the magistrates warning the people not to attend the meeting of the 9th, was put into witness's hand, and he said he saw similar ones in Manchester.

Cross-examined by Mr. Hunt.

Q. Did you write down my words at the time?

A. I did not take notes at the time, but he afterwards wrote it for a man who was employed by the police. This was about a fortnight after. Did not hear Mr. Hunt say that he had important business to do, and that he must return before the 16th of August. Did not recollect hearing Mr. Hunt say that the magistrates had threatened with their indignation all who *did not* attend the meeting.

John Chadwick, examined by Mr. Scarlett.

Lives at Manchester, and is a shoemaker; he went on the 9th to meet Mr. Hunt; he met him at Hardwick-green. There was a gig with Mr. Hunt and Johnson in it, and a chaise with Sir C. Wolseley, Parson Harrison, and Mr. Moorhouse in it. There appeared to be about 300 people coming in with them. The crowd increased as they went along; he heard Mr. Hunt say in a loud tone, "Shout,

shout, shout." He repeated that till he got opposite the *Observer* office. There they stopped, and Mr. Hunt whirled his hat, and the people near him shouted, and the others joined. They appeared to understand him; they then went on to Johnson's house, and shouted again; Mr. Hunt said, "three times three." This was opposite St. Michael's church; he then told the people to come on one side, and he would tell them his errand to Manchester; he then *drawed* his gig on one side, and said that he had been invited to Manchester by the Manchester committee, and that he and his gig, and his political Bob (his horse,) had set out together; he had come as far as Coventry, where he saw the *Courier* newspaper, which stated that the Manchester magistrates had put down the reformers at Manchester, and that he (Hunt) would be afraid to show his face there, as they would make him smell gunpowder. Afterwards, he said, that he had seen the proclamation at Bullock-smithy, and such a proclamation never came from a shop-board of tailors: he also added, that he would have the *Courier* to know that he was not afraid of gunpowder: he then turned to the Stockport people, and said, he hoped to see them all on the 16th, and that they would bring as many of their friends and neighbours as they could with them. Witness knew where White-Moss was: on the 15th of August he got there before day-light; White-Moss is about five miles from Manchester. There was a great number, about two or three hundred at first, but they kept increasing all the morning. They came from different roads; witness went there from curiosity; they fell in ranks like soldiers when the horn was blown. This was about day-light; witness also fell in. The people fell in to the companies belonging to the place they came from. Every company had a person to command it; they then marched about the field for two hours; and when the word was given to fire they clapped their hands. The words, "make ready, present, fire," were given as if they had guns; and at the word "fire," they clapped their hands. They afterwards fell into a large body, and made the spectators fall in also. Witness *falled* in at first, but he very soon after *falled* out. Did not know any of the commanders there.

Mr. Hunt objected to this evidence. The witness had sworn that he knew none of these people.

Mr. Scarlett said he would shew that some of these people had attended Mr. Hunt.

Mr. Hunt said it mattered not unless some of those persons were among the accused.

Mr. Scarlett said, he hoped Mr. Hunt would not be allowed to disturb the proceedings of the Court.

Mr. Justice Bayley—Mr. Hunt has a right to take the objection, and I am doubting whether this is evidence.—[The witness was sent out.]

The witness, who was sent out of Court during the argument on this objection, was again called to the box.

I was at the meeting of the 16th of August, and the first person I saw was a man I had seen at White-Moss with a letter brought from Manchester. After the letter came the parties formed into a square, like four walls, and the man who was to read the letter was in the centre. The letter was not read, as they said there was no name to it, and they would have nothing to do with it. The man then joined them. The man who was to have read the letter was the person who led up the Middleton and Rochdale parties on Monday. This man was drilling the men, and giving the word of command. I saw Murray, the constable, on the Moss, and heard the people call "Spy, spy," and then run after him. There was another man with Murray. I left the ground about six o'clock. I went the next day at eleven o'clock to Johnson's house to meet Mr. Hunt. I went with a party from the Union school-room at Manchester. I did not see Mr. Hunt go from Johnson's, for I joined the Rochdale and Middleton party, who were going on to the meeting. I saw Mr. Hunt go on to the meeting afterwards from Johnson's house. Johnson, Knight, and a person they called Carlile, were with him in an open topped chaise. Some of the people walked in ranks near it, but the rest walked irregularly. They shouted as they came to Johnsons's; and also at the Exchange, and opposite Murray's house they hissed hard. There was a woman on the coach with the coachman. She carried a flag.

Cross-examined by Mr. Hunt.

I live at No. 30, Miller-street, Manchester; I have lived there nine years. I work a little for myself. I know you are Mr. Hunt; when you bid the people shout I did not join them. I went through mere curiosity and nothing else. I staid up all the night I went to White-Moss; the man who went with me is named William; I do not know his other name; he saw all I saw at White-Moss. I never told those who brought me here that another person had been with me at White-Moss. I have frequently talked over the matter with the man who went with me. I do not know

where he lives, The story I have told here has been taken down in writing by Mr. Milne; he never asked me whether any body had been with me. I went to him of my own accord to speak the truth; I went to him last Thursday. I never went to him before that time. There were about three hundred persons at White-Moss when I got there. There were some scores, who did not fall in until they were forced. They said to us "you must all fall in, for we'll have no lookers on." When I first came, they had not fallen in—they were all sitting down. There are roads close to White-Moss, and persons passing could not miss seeing the people marching. When I fell out of the ranks, I went into the next field, lest I should be made to fall in again. I think there were as many spectators as persons marching. I left them about seven in the morning, and went home. I do not recollect any other words used but "march' and "counter-march;" when they said "march;" the men walked up the field. I think when they said "counter-march" they marched back again, not backwards, but to the place from which they came; I did not see them raise their arms in the attitude of firing; I did not see the people in the carriage hiss or take any notice of Murray's house; any person who should state the contrary would state what is false—[Witness described the flags borne by the different parties on the 16th] I heard shouting and cries of "Hunt and Liberty." There was no disposition to do mischief manifested by the crowd; they were all gay and cheerful. If any person was to swear that the people marched by with you four or five abreast in a riotous manner, they would swear a falsehood. I saw no swords, pistols, or bludgeons. I saw some walking sticks with some of the people. If any of them had had weapons calculated to do mischief I must have seen them; I never cheered on any occasion. When I got to Peter's-field I stood near the house where the magistrates were. When the cavalry came in I was rather alarmed, but not before.' Peter's field was full of people, who were all standing peaceably. I saw nothing to the contrary. They remained so till the cavalry began to go down. As they were going to the stage I quitted the field. They came in with their swords drawn, and in a sort of a trot. I went away because I thought there would be danger. There were many others running as well as me. I went to White Moss, as it was well known in the town that drilling was going on there.

Cross-examined by Mr. R. Wilde.

I left Manchester about twelve o'clock on the night of the

15th, and arrived at White Moss about six o'clock in the morning. It was day-light between two and three in the morning. It would be a hard job for me to tell you the road I took to White Moss.

Cross-examined by Mr. Johnson.

Some of the people went before Mr. Hunt's carriage on the 16th. You may call it marching if you will. I can't say whether they went six a-breast. I was before the carriage, and do not know how those behind it went. I heard no sound of bugle, nor any order for hissing given at Murray's.

Re-examined by Mr. Scarlett.

I went to Blakeley, and then crossed the fields to White Moss. The nearest turnpike road to the Moss is a mile and a half distant. The nearest village is Blakeley, which is a mile off. There were some stout lads who marched before the carriage of Mr. Hunt. I was then in Ashton-lane.

The placard calling the meeting of the 9th of August, in order to consider of the best means of obtaining a radical reform in the House of Commons was then put in.

Mr. Hunt objected to it as evidence, unless it could be shewn that he had been a party to its being published.

Mr. Justice Bayley said the pamphlet had not yet been proved.

James Murray examined by Mr. Serjeant Hullock.

I live at Manchester. I know Mr. Shawcross; I went with him on the night of the 14th August. Mr. Rymer and his son were with us. We went to White Moss. We left Manchester on purpose to go there, and reached it by day-light. Hearing some persons near us shouting and hallooing, we lay down to prevent our being seen. We then got to the Moss where the men were drilling, there might be 600 or 800 hundred of them. The plot of ground was square. They were in squads, and there was a drill serjeant at the head or end of every squad. They were marching when I went up. I heard the words "march," "wheel," and "halt." It appeared like a camp, the men obeyed the orders given to them. I remember the words "eyes right," "dress," and "forward." I was close amongst them on the left hand. The first words said to me were by a drill serjeant, who bid me fall in. I knew the man, his name was Caterall. I said I thought I would fall in soon. The different serjeants began to shift their squads and look steadfastly. I did not like his looks, and thought of shifting my ground, when I heard the cry of "Spy," it ran along the

lines, and I heard the words, "mill them, d—n them, mill them;" I then heard a cry of "they are constables; and the answer to that was, "d—n them, murder them." I moved off, and moved off, and so did Shawcross, but were followed by eighty or ninety men. They overtook Shawcross, beat him, and knocked him in the ditch.

Mr. Hunt here submitted that this was not evidence. This was proof of an assault for which men had been convicted and punished.

Mr. Scarlett contended that he had a right to examine this witness. His object was to shew the connection between the men at White Moss and those assembled on the 16th August. The charge against the accused was that of conspiring to disturb the King's peace. Now the conduct of those assembled at White Moss——

Mr. Hunt said, that he felt as fully as any one the grossness and illegality of the conduct of those persons at White Moss; but he hoped the Court would not implicate him and his fellow defendants in it, upon such testimony as that already given.

Mr. Justice Bayley said, the only question was, whether those assembled on the 14th had not intended to give those assembled on the 16th that superiority which military training gives? and if so, whether it is not evidence to shew the intention of the parties in assembling?

Mr. Murray's examination continued.

From 20 to 30 men followed and overtook me. They began to beat me with sticks and kick me most violently with their clogs. I desired them to give over, that that did not look like a Reform in Parliament; it was, I said, very different treatment from that received by prisoners of war. They asked me how we would treat them if we took them prisoners to Manchester? I said we would treat them as prisoners, and not murder them. They continued beating me, and one said, "Shall we kill him out and out and put him in the pit, or let him go?" A young man said he has had enough; another, "If he has any more he'll die." They then desisted, and held a consultation, after which one of them asked me if I would consent to go down on my knees, and never be a King's man again, and never name the King any more? I said yes; as I considered my life was in danger. I fell upon my knees; the words I now mention were proposed to me, and I repeated them. They then let me get up. One man struck me twice after I got up, and that was all. I went to Middleton, as I was unable

to go to Manchester. I was unable to stir after I got to bed. I was the next day removed to Manchester where I was confined to my bed. On the next day, the 16th, I heard the sound of bugles, and on being removed to the window, I heard the cry of "halt!"—the crowd then halted near my door. I looked out, and saw the streets filled with people. Those in the centre were in ranks about six abreast. The bugle was again sounded, and I heard the word "march," and the party moved on, and began to hiss very loud. Many of them had sticks. They had several flags and banners with them.—Those who marched in line amounted to between 5,000 and 6,000 men. Besides these, there was a large crowd of men and women; I could not identify any of them; I was unable to go out that day. This was about eleven o'clock. About one o'clock another crowd of men, women, and children, came past my house. There was an open carriage, in which I saw Mr. Hunt and Mr. Johnson, and I think another person. I do not think it stopped at my door, but it moved very slow. The whole of the crowd hissed and pointed at my windows. I think those in the carriage looked at my house.

(To a question from the Judge)—I am sure they looked up as they passed. I think those in the carriage were standing. There were near 4,000 persons, many of whom were women and children. The road from Smedley Cottage does not run past my house; by going that way they went 500 or 600 yards out of the way.

Cross examined by Mr. Hunt.

I am not employed by the Police; I am a confectioner; I am a district constable, sworn in by the magistrates. I went to White Moss, in consequence of the alarmed state of the country, as well as of my family and myself. I went of my own free will. I told several persons I would go, as he had heard of drilling. I believe I told Nadin. I got nothing for my trouble from the Police. There was a subscription for the wounded at Peterloo, and I got a part of it to pay my doctor's bill. I got 15*l*. I will swear that I never arranged with Nadin or any other person, nor was I employed by any one to go there. It was my own act and deed. On my oath, to the best of my belief, Nadin did not know I was going. I saw no lookers-on at White Moss. They were all at drill except myself and those who went with me. I did not notice the lookers-on. There were some persons at a distance, who might be lookers-on for what I know. There were not many looking on in front of

the ranks. If there were 200 lookers-on, I must have seen them—They had no arms. I did not hear them say, "make ready, present, fire." But if it had been said, I must have heard it; I first mentioned this to Joshua Pollet —My depositions were made in my bed-room before Mr. Norris and Mr. Trafford, on the same day that I was attacked. On the 21st I went before a Magistrate, in order to correct an omission which I had made in my depositions. They were put down on a slip of paper, but I do not recollect whether I swore to them or not. I think myself a religious man.—I go to Church and Chapel. I know Robert Meagher. I do not recollect any particalar conversation with him. I do not recollect any particular conversation between Meagher, Sandy Moreton, and myself. Perhaps I do not like the Reformers, but I do not recollect using any violent language against them. I never said that I would rather be rowed to my own house in a boat in the blood of the Reformers, than walk upon the pavement; I once said, that if it was to come to an action, I would not give up to the Reformers, even were I to fight up to my knees in blood. I went one night to the Cock public house, and being a King's man, they were all at me; I had a good deal of ale, and I do not recollect what I did say; I will not swear that I did not use the words you mention. I know a Mr. Chapman, at Manchester; I went not long since in a coach with him to Liverpool; there were six in the coach; we spoke of Reform; I do not recollect saying that if I had the command of the troops on the 16th August, I would have put every b—— rascal of them to death; I swear I did not say so. [Mr. Hunt here cautioned the witness, and repeated the question.]

I did uot say I would make the troops fire, and put all present to death. I will not swear that I did not say this. I was sober in the coach. On my oath I did not say so to my knowledge. Mr. Chapman did not call me to account for saying so. I told Mr. Chapman I would not believe a reformer upon his oath, and I now repeat it. I would not believe any reformer on his oath. Some words about firing might fly out of my mouth, and my enemies might have miscontrued it against me. I do not recollect seeing you at the Spread Eagle, Hanging-ditch. I was one of a party of King's men who once went into a private room in that house in which you were. The boroughreeve and constables were going their rounds, and I joined them, but I do not recollect the door being broke open: I swear it.

Cross-examined by Mr. Johnson.

I never took money from my wife, and went off to Liverpool with females of loose character. I never made any offer of myself to serve the office of special constable.

John Shawcross examined by Mr. Sergeant Cross.

I am a clerk at the Police Office, Manchester. The printed placard, announcing the intended meeting of the 9th of August, was shewn to witness, who said such bills were posted up as early as the 23d of July, in the public streets at Manchester. He was also shewn the prohibitory placard issued by the Magistrates, which he said was placarded in a similar manner. The witness then corroborated the evidence of last witness, Murray, respecting the outrage committed upon him by the people assembled at White Moss.

Cross-examined by Mr. Hunt.

I know most of the Defendants, and accompanied Murray to Lancaster Castle, to see if I could identify the parties. White Moss was about a mile and a quarter across. The men there were in squads, as if under leaders. Heard nothing said about "firing"—"marching"—"counter-marching;" heard nothing said of that kind at all, except wheeling to the right and left. The people did not call upon him to fall in; they never said any thing of that kind, nor did he ever give them any hopes that he would join them by and by. No such proposition was made to him. If any body said so, it was not true.

In answer to questions from the Judge, he said the squads appeared, some of them awkward, and some perfect in drilling.

To a question of Mr. Hunt.

The people who went to White Moss did not go secretly, but set up a hooting every ten minutes; they were very noisy on the way.

John Heywood examined by Mr. Littledale.

I live near Manchester, and was there on Sunday morning the 15th of August. While there a man came up to me and said "here, lads, is another spy;" they then beat me with sticks as fast as they could. He saw the same body of men marching from Middleton towards Manchester, with flags and a cap of liberty.—As they came along they said they would give me what they gave me short the day before, if I followed them. One of them said, "that's he that was

at the Mess the day before." I went, on the same day, within four miles of Smedley-cottage, and saw Mr. Hunt addressing the people there.

Cross-examined by Mr. Hunt.

I saw one of the parties who beat me since—he is now convicted for it, and lodged in Lancaster Castle. They did not use the sticks as arms, nor was there any command of "make ready, fire;" nor did they give me any hint to join them. I heard Mr. Hunt speak that day from Smedley Cottage, but what he said I don't know. I saw him throw up the sash, before he spoke from the window; I was standing in an adjoining meadow.

In answer to a question from Mr. Scarlett, he said he stood about 400 yards from the window.

At six o'clock the Court rose, and adjourned the further hearing until the following morning.

Mr. Hunt was loudly cheered as he passed home to his lodgings.

SECOND DAY.

The Court was crowded this morning soon after seven o'clock. The rush, when the doors were thrown open, was excessive, and a number of ladies again encountered the pressure of the crowd—they were, however, accommodated with such places as could be spared near the Bench. At nine o'clock Mr. Hunt entered, accompanied by the other Defendants. He seemed in excellent spirits. Mr. Harmer and Mr. Pearson assisted him as yesterday. Mr. Hunt was cheered by the people through whom he passed on his way to the Court. Mr. Justice Bayley took his seat on the Bench at half-past nine o'clock. Many persons of rank in the county were also present.

The first witness called was

William Morris, examined by Mr. Serjeant Cross.

I am a weaver, residing five miles from Manchester, near White-Moss. I know a place called Smedley; in the course of the month of August last I saw many groupes of people near Middleton: Samuel Bamford (one of the Defendants) used to be among them. Early on the 16th of Au-

gust, about nine or ten o'clock, I saw many hundreds of people put into regular form at Middleton, with two flags; 25 men were in each section. I know not who formed them into sections, nor how many there were, but there certainly was a large number collected that day in the township—2 or 3,000 at the least. They marched off four abreast, after being first drawn into the form of a square, in the inside of which was placed a chair, in which Samuel Bamford stood, and said, "Friends and neighbours, I have a few words to relate: you will march off this place quietly, not to insult any one, but rather take an insult; I do not think there will be any disturbance or any to do; if there is, it will be after we come back—there is no fear, for the day is our own." I did not hear him say any thing more. He got off the chair, and spread laurel among the men who were to command the sections; they put it, some into their breast, and others in their hats. It was after this they marched off four abreast. Before they went away, a large number of people came, also arranged in form, from Rochdale, with a band of music before them, and bearing two flags, which had an inscription, but I do not recollect it. Both bodies, which were nearly of equal numbers, joined, and then went off together, each with a cap of liberty. The men had nothing in their hands but bits of switches, or small sticks. Before that day I saw the Middleton people forming and arranging, both in the fields and high roads. Bamford was with them different times. On the 8th of August they talked of a row at Manchester, but I cannot say that any of the Defendants were there. On the 16th Bamford was in the front of the people. I know John Whitworth, who was a private in the 6th regiment of foot; he was drilling the men, but not on the 16th of August. John Hayward, who was a private in the 16th dragoons, was doing the same.

Cross-examined by the defendant, Bamford.

I am swearing the whole truth. I did not see who put the men in form on the morning of the 16th; but I saw you address them from the chair, and heard you recommend them to be peaceable, and did understand you wished them to continue so the whole of the day. There were two flags, but I heard you say nothing of what they were to serve for. I was only a dozen yards from you, and I think I could very well hear what you said. I do not recollect your saying, that, when they got to Manchester, every man was to remain around his own banner; nor that they were to return home quietly and orderly after the business of the day, and that if any

stragglers were on the ground, they were not to form with them, but to look out for their own banner. Many thousands went before and followed the Middleton and Rochdale people, who were not formed with them in the march; they mixed up with them, as well as a good deal of women and children. I know your wife by sight, but it is not every where I see her that I recollect her. I did not observe her or your child in the crowd that day. The crowd appeared promiscuous. I know there were many people and stragglers at the right and left of you, but none in form, except those you led up. Barrowfield was the place where I first saw you with the men. I have seen many processions with music at Middleton, of the Orangemen, and Odd Fellows; they had flags and inscriptions. I was at Middleton on the Proclamation of his Majesty George the Fourth, and I saw then a procession of the Odd Fellows bearing a flag.

Mr. Justice BAYLEY.—I am unwilling to interrupt you, but how does this bear upon the point?

Mr. Bamford—I mean to shew that it is a common practice in this part of the country to have these sort of processions. I know what marching is, for I learnt it when I was a soldier. You can tell what they were to do, as you were with them.

Cross-examined by Mr. Hunt.

It is twenty-five years since I was a non-commissioned officer in the 104th regiment; I remained so as long as I staid in the service. I was in the habit of a soldier for three years, but I never took an oath, and was therefore not sworn to the oath of allegiance. I did not on that account feel myself bound to remain with the regiment any longer than I thought proper. When I had seen as much of the service as I liked, I wished them good morning.—*(A Laugh.)*—I considered myself to be with them, but not as a soldier, though I wore the clothing. When I thought I had been there long enough I made the best of my way home. I was never told that being a deserter, and having violated my oath, I would not be a good witness in a court of justice. I entered the regiment as what was called a mushroom serjeant.—*(Loud Laughter.)* I had so much a man for enlisting on the recruiting service. I have been in Ireland, but never happened to see Orange clubs marching there, as at Middleton. I never saw the Orangemen with shilelahs to defend themselves, but I have seen them with common sticks.

Mr. HUNT—You were not alarmed then?

Witness—No, I was not, nor was I alarmed at your self. —*(Laughter.)*—I saw no depredations committed on their march, nor can I tell whether people were alarmed or not by them. I saw them insult nobody. The high road from Middleton to Manchester is within half a mile, or thereabouts, of Smedley Cottage; I had nothing to do with Smedley Cottage; it was the Learned Counsel's (Mr. Hunt's) question that put it into my head. I will not swear that they did or did not play "God save the King." (He added) with warmth, on Mr. Hunt's pressing the question), I did not expect those loyal tunes would be played by them; I did not hear them play disloyal tunes; nor the "Rogue's March," which perhaps I think is yours; nor the Deserter's," which may be I'd have taken to myself.—*(Laughter.)* I saw none of them drunk on their way to Manchester. I do not know any thing to the contrary of Bamford's being a peaceable man. Some of the people had small sticks, an

Mr. HUNT—Were any of them large enough to whip infamous cause out of Court?

The JUDGE said, this was not the time to make an observation.

John Eaton examined by Mr. Littledale.

I live at Middleton, and am a plumber and glazier. On the morning of the 16th of August I saw a great many people assembling, and Samuel Bamford among them, and in front. They had music and flags (two) the inscriptions were "Liberty, Strength, and Unity," and something with a cap, on a pole. Bamford had a bunch of laurel in his hand, and many others had a little of it in their hats. Some had also little walking sticks, and were proceeding towards Manchester by the new road.

Cross-examined by Mr. Bamford—One flag was green and another blue. I saw nothing but small sticks; there were no poles except such as had the flags and cap of liberty. I don't know whether I could tell your wife, but there were many women and children, three, and four, and five abreast, who appeared to partake of the conviviality of the procession. These were principally in the Rochdale division. I do not think they were in the Middleton. The people did not seem sullen and sulky; they had no angry looks, but were more, as it were, in joy. I have some little property, and had then on my premises. I had no occasion to go home and shut my doors when I saw this procession; in I saw any body else doing it perhaps I might. The process-

sons of the Orange and Odd Fellows, one of whom I am) often move in regular order. I am not a reformer. I know nothing about radical reform, except that it creates a great noise up and down the country, and perhaps it would be as well to lay it aside. I could not suppose the reformers had any particular regard for me. I said nothing about the legality of the Manchester meeting, except that you ought to know best what you were going for.

Cross-examined by Mr. Hunt.—I have often walked to our Orange processions, and understand them, but I do not understand yours, and of course did not walk with it. Our flag is called the Union, but it has no inscription. I don't know Mr. Fletcher, the Magistrate, but that he is in our lodge.

Joseph Travis examined by Mr. Serjeant Cross.

I live at Oldham, and am a grocer; I remember on the 16th of August, parties of men passing through at nine o'clock, on their way to Manchester. They marched past. I saw "Saddleworth" on one of their flags. After they were passed, I was sent on after them by the magistrates, to count the number that passed. There were five divisions, Royton, Crompton, Chatterton, Saddleworth, and Oldham. Flags with their names at the head of each. Each division was formed into marching sections; they were irregularly formed, some being two, some four, and others, eight or up to twelve a breast. There were about two paces between each of the sections, and a man or commander marched on the left flank of each; they had bugles and flags, and marched like soldiers to Bent-green. I counted 864 marching in ranks, but there were many hundreds of stragglers went besides, and some of them frequently went into the ranks; occasionally they got into a little disorder, owing to the stragglers who fell in, and then the man at each section gave the words "halt, eyes left!" his command was obeyed, and they speedily formed and went on, when the word "march" was given. One leader I saw was Dr. Healy, of Lees; he led the Saddleworth and Lees divisions. I know the Doctor.

Here Mr. Hunt rose to express his apprehension that Mr. Milne, of Manchester, who assists the Solicitor of the Treasury for the prosecution, was communicating with some of the witnesses. He had, he said, repeatedly seen him go out of Court, and he was informed he had seen some of the witnesses. Of course it followed, that when witnesses were

to be kept apart, the only intention of so placing them was to exclude them from any communication with the previous business of the Court. It was but just this moment that he saw Mr. Milne hand out a letter; he hoped the Court would send after it, and ascertain the purport of the communication.

Mr. Justice BAYLEY immediately asked Mr. Milne to whom this letter was addressed. The latter answered, "To G. F. Merry." The Under-Sheriff followed the messenger, and in a minute or two returned with the letter, which the Judge opened, and after perusing it, informed Mr. Hunt that it contained nothing respecting the pending business of this trial.

Mr. SCARLETT, on behalf of Mr. Milne, felt it right, to say, that the letter was in reply to an application from Mr. Merry, for a copy of his depositions.

Mr. Justice BAYLEY repeated that there was no impropriety in the matter.

Mr. Hunt said that the appearance at first looked suspicions.

Examination of witness resumed.—The crowd kept increasing while I remained in sight, and marched as I have already said, in regular order, as soldiers do.

Cross-examined by Mr. Hunt.

I was employed by the Magistrates to do this as a special constable, or else I should not have gone. While I was with the Magistrates, I left my father who was seventy one years, to take care of my shop; I was not alarmed when the men passed; I saw no reason to fear, I have been a soldier myself; I do not recollect what was on the flags; I went with Mr. Chippendale, a Gentleman at Oldham, to count the people; he wrote down as I counted; we have talked over the matter together; I do not know that he is here; I believe that he is not; I was forced to come on; I saw no drunkenness, no rioting, no threats, no ill usage. I do not know whether Mr. Chippendale was a special constable; he is not an attorney; I was not at all alarmed; nor did I see any reason why I should, as these people passed with the black flag, though the look of it I did not like; I did not stop the flag, which had upon it "Saddleworth, Lees, and Mosley Union," and something like two hands grasped, and the word "Love," also. I did not see what the Learned Counsel called the bloody daager upon it; I did not see such a thing upon any of the flags; I do not

know the particular reason why Mr. Chippendale is not here to-day, though he was subpœnaed, and though his signature, as well as mine, was to the deposition which went into the Solicitor for the Prosecution. I have not heard he was let off by the other side. I saw no caps of liberty among the people, but I have seen the stone cap at the top of this castle; a stone cap is not a cap of liberty, it is only the figure of one.—(*Laughter.*)

John Ashworth examined by Mr. Liftledale.

I was working as an engineer at a factory at Oldham on the 16th August, when I saw the Saddleworth and Royton divisions come there and join another division which came up before them; they formed altogether, and went on terror twelve abreast to Manchester by the new road. There might be from 3 to 5,000, exclusive of stragglers. [He then described the banners nearly in the same terms as the last witness.] Many called out to me by name to go with them, but I said they were a week too soon for me; that I could not go till Saturday. Some of them also said they would make a "Moscow" of it before they came back; this occurred at eight o'clock in the morning of the 16th.

Cross-examined by Mr. Hunt.

I live at Manchester, but am no relation to Ashworth the constable, who was killed there on the 16th. I have a wife and children who were at Manchester that day while I was working at Oldham. They did not alarm me about this *Moscow* business. I was surprised to see so many people, and I said at the time to those about me, that the words were terrible. I was repairing the factory steam-engine, and could not go to look after my wife at the time. I sent off no messenger to her. Only one or two said "Moscow." I saw the cap of liberty with the people, but never saw one before or since. I am not a man of that principle that "bothers" my head about caps of liberty or things of that kind.

William Standring examined by Mr. Scarlett.

This witness was a publican residing at Pulesworth, between Oldham and Manchester, and described his having seen the crowds assemble in his neighbourhood about nine o'clock in the morning of the 16th August. He saw Dr. Healy while the division halted; many of them, and among the rest, the Doctor came into his house and had a glass of gin, and said, "Victory, my lads, and success to the busi-

ness of the day." The Doctor also hoped the people of the house were true to the cause.

Cross-examined by Mr. Hunt.

I have retired from the public business, and live now with my brother-in-law. I have my living still to get by my industry. On that day I was much alarmed for my property. I did not, however, remove it to any place of safety. It has been sold since at Oldham, but no person's name was to the bills advertising the sale. I have been in a Court of Justice before now, as a witness. I was once charged for breaking windows one night when I was *full*. I have had the misfortune of being confined in the Lunatic Asylum, but was not latterly in a state so as to feel unnecessary fear. I have been a special constable, but was never in the pay of the police.

Jeremiah Fielding examined by Mr. Littledale.

I am a merchant, and was on the road between Manchester and Cheetham-hill, on the morning of the 16th August. I met there on the road numbers of people passing towards the town; there were two or three thousand in one groupe, and they marched four or five abreast with music and flags.

Cross-examined by Mr. Hunt.

There were no women and children with them when I saw them, nor did they insult any body.

James Heath, examined by Mr. Scarlett.

I reside at Cheetham-hill. I saw a party proceeding to Manchester on the 16th of August, which he described nearly as the last witness had done. He saw a party of three, and one of those three persons, looking earnestly at witness, said to him, "You will not sleep in that house to night." Witness went to Manchester in the afternoon.

Cross-examined by Mr. Hunt.

Knew Mr. Nadin; did not know all the Police runners; could not swear that they were not connected with the police at Manchester, but he did not believe them to be persons of that description.

Roger Entwisle being called, it was answered that he was out of the way.

Mr. Hunt suggested that he should be called as "*Clerk of the Race Course*," as he was better known by that title than by the name of Roger Entwisle.

James Duncoft, examined by Mr. Littledale.

I am a cotton-spinner, and reside at Hollingwood, within five miles of Manchester. I was going to that town on the morning of the 16th of August, and saw on the road a body of at least 2,500 men. They were going in the direction of Manchester. One man said to me, "Well, captain, how do you do?" I had been a captain in the local militia. I heard some of them say, as they passed Hollingwood, "We are going to West Horton." I formerly had a mill there, which was burned down in the year 1812, at the time of the Luddites. It was purposely set on fire. A mill was afterwards built on the spot.

Cross-examined by Mr. Hunt.

I was at Manchester on the 16th of August; I was not acting as a constable. I saw you on the hustings, and also before Mr. Buxton's house. I took no part in the transactions of the day. I left the ground before the cavalry came up, for I thought it was unsafe to remain there without a protection. I saw you before Buxton's house after the meeting was dispersed. I left the field before the cavalry came, and I returned again through curiosity. Both visits were made through curiosity. I certainly thought it safer to be on the ground after the cavalry arrived than before. I am not a medical man, and did not assist in dressing the wounds of any of the individuals who were injured on that day; I did not see any person wounded. I sent a cart-load of goods to Manchester on that morning; I cannot speak as to what particular goods they were: our cart always goes out early in the morning, at 7 or 8 o'clock; and when I sent the goods to Manchester, I believed they would reach the town before the meeting began; on that account I was not afraid of sending them on that day; but, if they were not likely to reach Manchester before one o'clock, I certainly should have been afraid to transmit them. I have a warehouse there; and, though I might be afraid to send the goods to Manchester at a late hour, I should feel no apprehension when they were once safely arrived there, as they would be locked up in a secure warehouse. I returned from Manchester the same evening; and on the road had a short conversation with an officer of the 6th Dragoon Guards, respecting the transactions of the day. I told the officer I could give him but a very imperfect account of the meeting, as I left the ground before the cavalry arrived, and did not return till after the crowd was dispersed. I did not ask him, or any other officer, whether he had been at

Manchester that day? Of course I could not say, "that in consequence of his absence he had lost all the fun." I never made use of such an expression, I did not go to Manchester exactly through curiosity; my business lies in Manchester, though I live in the country, and it is my duty to attend my warehouse; but I had no motive whatever, except curiosity, in going from the warehouse to the meeting. I knew it would be dispersed, in consequence of notices issued by the boroughreeve and constables; the notices did not state specifically that the meeting would be suppressed; but from the language and tenor of the publication, I thought it was very likely that it would be put down. I have no copy of the placard; but the substance of it was, a recommendation to the people to keep their families and servants at home. I do not think the notice was signed by any magistrate; it was the recommendation of the boroughreeve and constables. I went, notwithstanding that recommendation to the meeting; of course I went at my own risk; I should have run considerable risk if I had remained. When I left St. Peter's-field, the first time, it was crowded with people; when I returned, it was in the possession of the soldiery; at that time, they were taking you out of Mr. Buxton's house. I had a factory at West Horton burnt down some years ago; it was, I believe, the only one, entirely burned; four persons were convicted, and hanged for the offence; I do not know that one of them was a boy, though I have heard it stated. I was then at Gibraltar. I understood it was burned down by the Luddites, who entered it in the open day. I never heard that the crime was perpetrated by the black-faced spies of Bolton, and, if I had, I would not have believed it. The prosecution was commenced before I left Gibraltar. I believe my name was inserted in the indictment as one of the prosecutors. Did not hear of any factories being burned within the last two or three years—since the period when great meetings began to be held for parliamentary reform.

By Mr. Scarlett.

There were from 60,000 to 100,000 persons on the ground. They were, with the exception of those who came through curiosity, persons belonging to the labouring classes. The whole ground, about six or eight statute acres, was covered with people. Those who were mere lookers-on stood at a distance. At that time, many persons, especially weavers, were out of employment. I stayed until Mr. Hunt reached the field; and I left just as he began his

address. There was much shouting. I observed 15 or 20 banners. I did not think the town of Manchester was safe when such a multitude of people were congregated together from different parts.

In answer to a question by the Court, witness said, that, in his opinion, the number of people assembled on that occasion was calculated to inspire the inhabitants of the town with a great degree of terror.

Roger Entwistle examined by Mr. Scarlett.

I am an attorney of Manchester. From ten to twelve o'clock on the 16th August I was at the Albion Hotel, Piccadilly, opposite the infirmary, which is on the line from Stockport; I saw a large body of people marching into the town, like regular soldiers, with banners, and also caps of liberty. Several among them appeared to have the command of different parties, and moved about a yard from the rest, at the side of the front ranks. They had very large sticks, some walking with them, and others bearing them upon their shoulders. When the coach which headed them came opposite the White Bear, Mr. Moorhouse came out of it; one of the men said to me as he marched by, that before night he would have as good a coat on his back as I had. I then went to St. Peter's-field, where I saw the special constables in front of Mr. Buxton's house. Mr. Hunt had not then arrived, and they were preparing the hustings, and the constables formed a line between it and Mr. Buxton's. Soon after I saw Mr. Hunt, Mr. Moorhouse, and several others come up in an open carriage. I saw Mr. Hunt get upon the hustings; several thousands, at the very least, upwards of 100,000, were there at the time, and many of them were chaunting "Britons never shall be slaves." There were very few Manchester people there, except out of curiosity, but they chiefly consisted of the labouring classes from the adjacent country. The meeting was most certainly calculated to inspire alarm and terror in the minds of the peaceable inhabitants of the town. I heard Mr. Hunt's address from the hustings; he commenced by congratulating the meeting on the adjournment from the 9th, as they had thereby doubled the number in the cause. Shortly after the military (infantry) made a movement in the direction of Dickenson-street. Mr. Hunt immediately pointed to them, and said, your enemies are among you; if they attempt to molest you, "get them down, and while you have them down, keep them down." Soon after the Manchester Cavalry came up to the front of Mr. Buxton's house. Hearing that warrants

were likely to be used, I did not think it safe to remain any longer near the hustings, and retired towards Mr. Buxton's house. The moment the cavalry came there was a great shouting from the mob.

Cross-examined by Mr. Hunt.

My profession is that of an attorney; I am also the clerk of the Manchester race-course; I was examined on oath at the Oldham Inquest, but I cannot say I said one thing at Oldham and another here; what I said at each place is true; I was on the Albion steps when the people entered the town on the 16th of August, with a number of respectable persons; among whom I class myself. The Stockport division was preceded by the coach in which was Mr. Moorhouse. When the coach stopped at the White Bear the division went on to the Meeting. Notwithstanding my first alarm, I went to St. Peter's-field, where my apprehension became greater at the sight of such a multitude. My alarm was on account of the immense number, and from knowing their minds were very much inflamed from the seditious publications about that time published. I have seen large parties coming out of *The Manchester Observer* office after purchasing such works, and I have heard them recommending their friends to purchase them; and at different times heard some people express their feelings at reading such things, particularly the people from about Nollingwood, Royton and Oldham, who used to croud round *The Manchester Observer* Office on Saturdays. There were very few Manchester faces at the meeting; I know that many Manchester people bought the seditious works, but the reason they had not the same effect upon them as on the country people was, that one set bought them from curiosity, and the other to take home and read. The meeting consisted entirely of the lower orders, such as weavers and the labouring classes. I admit that many of them (the Manchester people) would have attended the meeting if they had not been confined within the factories. My own opinion is, that when you said "keep them down," you alluded to the military, and wished not to be molested, but that if you were, you wished the people to keep them off if possible. The people were peaceable at the time you addressed them: my impression was, that you congratulated the meeting on its adjournment from the 9th to the 16th. I will not swear that I did not use the word "postponed" in giving my evidence at Oldham. On my oath, it is not my knowledge of the law respecting adjourned public meetings, which induces

me to use that word now. Though I was alarmed, I wished to hear what you had to say, and therefore I went to Peter's field. I saw the yeomanry cavalry advance at a sharp trot from Mr. Buxton's house. I went to the meeting by myself, and returned with you to the New Bailey. I went with the military, and I did not think it safe to go alone amongst the mob who were in the streets. When I went to the meeting, I thought it perfectly safe to go by myself. I saw two or three wounded persons—a woman in particular; she was carried into Mr. Buxton's house. Seeing such a concourse of people, with the flags, particularly a black one, which more resembled a pall than any thing else, and bearing an inscription, "Equal Representation or Death," I felt much alarmed. I felt all this fear before the yeomanry arrived, as I did not know what would be the result when the meeting broke up. I do not remember the particulars of my evidence at Oldham. I stated at Oldham, that I saw danger the moment I saw the parties coming from Stockport. I might have said at Oldham, that I saw no danger until the cavalry approached, but I then feared some danger might ensue. My reason for stating that, was, that there had been no previous acts of violence, but when they arrived within ten yards of the hustings, they were assailed with sticks, stones, and brickbats. My fear was, of what would be the result of the meeting when it broke up. I did not hear a report that the meeting was to be dispersed by the military. I heard that there was a warrant issued against you, and that you were to be arrested. I was not in London since last May. I should call a man one of the lower orders, who was imprisoned for debt or misconduct. I never was so imprisoned. The assignees of a bankrupt and myself have been served with a petition in Chancery, and the case is now pending. Mr. Partington, of London, is the attorney against us. I was never in the Fleet Prison in my life.

Mr. Hunt—Then I apologise for asking these questions. I assure you, I have no wish to offend you. I received information from a person in Court, which induced me to question you in this manner.

The examination was resumed—I stated at Oldham, that I was near the constables on the 16th nearly all the time. I knew the Yeomanry Cavalry were to be brought up. They, as well as the special constables, were ordered out in the morning. I was walking up and down Peter's-field from eleven until you were arrested. I was not insulted, but I saw several gentlemen who were. Some person said, "he," pointing to one, "is a spy—he," pointing to another, "is a

special constable." I was not called a spy. I am not a spy. I was not hurt. I did not wave my hand to the cavalry when they came in. The black banner was not like a flag; it was not square; it had letters upon it. I did not see two hands, and the words "Love" upon it. There was one flag with a bloody dagger painted upon it. It was painted red; I was not near it, but it appeared to me like a dagger. I swear this. I have never seen that flag since.

Examined by Mr. Barrow.

I saw Mr. Moorhouse in a coach on that day. I conceived he was leading the Stockport party. When I first saw the coach, it was 200 yards from me; it was near Portland-place. I will swear that the coach did not stop at the White Bear, Piccadilly, ten minutes before the Stockport division came up. It came immediately before them. I saw females in it, but I did not see them alight. I know Moorhouse; he is proprietor of a stage coach which comes daily to Manchester. I do not think I ever saw him drive it himself. I believe the coach stops daily at the White Bear. The men who came after the coach, were called the Stockport division. I knew some of those who composed it to be Stockport men. I particularly recollected one who carried a flag.

Re-examined by Mr. Scarlett,

The black flag was extended by a stick being fastened to the top of it, so that it hung square. All the flags and caps of liberty were at one time on the hustings. I cannot say it was while Mr. Hunt was there or not. I find that some person has published the Oldham evidence. I have read the book. I think if my evidence in that book was compared with what I now have said to-day, they would agree.

Francis Phillips examined by Mr. Serjeant Hullock.

Q. What are you Mr. Phillips?

A. I am a merchant and manufacturer at Manchester.

Q. Do you remember any thing particular of the 16th of August last?

A. I remember the 16th of August: I was on horseback about 11 o'clock on that day, and rode towards Stockport. Mr. J. Birley was with me.

Q. Did Mr. Birley and you meet any persons going to the Manchester meeting?

A. We met at Hardwick-green, about a mile and a half from Manchester, a large body of men coming towards the town.

Q. Marching in the way soldiers do?

A. They were marching in every way like soldiers, except that they had no uniforms. They marched in files, and were three abreast.

Q. Had they music and flags?

A. They had no music, but carried two flags. There were persons marching at the sides who acted as officers, and kept the files distinct; the order was beautiful indeed.

Q. What do you suppose might be their number?

A. The body amounted to about 1,400 or 1,500.

Q. Were they armed?

A. They had no arms, but many of them had sticks. I noticed one with a large stick or club, which he shook at me.

To other questions witness answered.—The officers gave the words "left" and "right," to keep the men in better order. He returned to Manchester by a less public road. He went immediately to where the magistrates were assembled. Witness was a special constable on that day: he went to St. Peter's area, and in a short time after the same party arrived in nearly the same order which he had seen them marching before: he knew them by the banners, one of which had the inscription "no corn laws" on it. When they arrived at the area there were many parties assembled there, and others continued to arrive in different directions. One party was extremely numerous, infinitely more so than that from Stockport. St. Peter's area is about 150 yards square, but he could not say exactly. There was music there, but he did not attend particularly to it. There was a sort of raised place for a hustings or stage, around which the people were assembling. Mr. Hunt afterwards arrived, accompanied by an immense multitude. There was a great noise and shouting on his arrival; witness never heard such a noise, and never saw so large an assemblage in his life before. The impression produced on his mind by the meeting was that of very great alarm. The meeting was of a nature calculated to excite considerable alarm in the minds of the inhabitants of Manchester. He did not see any of the defendants but Hunt. Hunt began to address the people apparently with energy, but witness could not hear a word of what he said. Not one half of those present could hear him. Only a small portion of the witnesses could. Saw Mr. Nadin with a party of the police, but did not see Mr. Hunt taken. Most of the shops in the town were closed on that day. Witness gave directions to his porter to keep his doors

fast shut if the crowd should advance, and he did so because he considered the town in imminent danger. He dismantled some fire-arms, lest the crowd should come to take them.

Cross-examined by Mr. Hunt.

Q. What did you say you were, Mr. Phillips ?

A. I am a merchant and manufacturer.

Q. You are something of an author too, I believe, occasionally ?

A. I have written and published an account of this transaction. [*Mr. Hunt handed witness a pamphlet, asking, if he knew it as an old friend*]. This is the first edition.

Q. Not quite so correct I fear as it should be ?

A. I afterwards published a second, more correct.

Q. Did you sell many copies ?

A. I published 1000 of each edition, the greater part of which I sold. I also gave a great many away.

Mr. HUNT.—I know it; you are like many other authors, who, if they did not give their works away, would find it difficult to get them off their hands.

Q. You sent some to London, to members of Parliament ?

A. I sent some to London, and several to members of Parliament.

Q. Did you not endeavour to publish your work before Parliament met ?

A. The publication was intended to have been before the meeting of Parliament, but it did not take place until a few days after it. I wished to give facts to the public.

Q. On your oath, Sir, did not Mr. Birley command the Manchester cavalry on that day ?

A. On my oath I do not know that Mr. Birley commanded them on that day. He was at the head of the corps, but I do not know whether he or Major Trafford commanded them.

Q. What did you see done which you considered insulting ?

A. I consider the shaking of the stick at me as an insult.

[Here Mr. Hunt read an extract from Mr. Phillip's pamphlet, in which it was stated that no direct offence was given before the yeomanry appeared.]

Examination resumed—I heard many taunting expressions used on the field to every man who wore a good coat, and went amongst the crowd. I went a private road on my return from Stockport, as I could not go with equal speed on

the high road without danger to the crowd which had passed. I considered that the Stockport men marched very well indeed. I do not admit that either of my editions of the book giving an account of the Manchester business states a falsehood. I considered the town of Manchester and the Magistrates to be in great danger. I ordered my porter to close the gates if any thing occurred; not for the purpose of keeping the workmen in. I gave my men orders to keep their wives and children at home that day. They acted with great propriety as far as I saw. I only saw the first advance of the yeomanry, and after the regular troops came upon the the field, I saw the Cheshire Yeomanry come upon the field in a hand canter, but I do not know whether they acted or not. I saw some infantry near Peter's field, and I also saw two pieces of artillery brought up after the crowd was dispersed. I saw very little of the battle; the dust and the number of constables prevented me from seeing what took place. I saw no blood spilt.

Mr. Justice BAYLEY observed that questions of this kind ought not to be put; that blood had been spilt he believed, and he was sorry for it. The question was not how the military had acted, but whether the meeting was a legal one, and if so, whether it was conducted in that peaceable and orderly manner that would preclude any alarm from being infused into the public mind. To this point Mr. Hunt had a right to examine the witness.

Mr. HUNT.—"I do not think I can better prove that the meeting was quiet and peaceable than by shewing that the people, so far from holding up a finger in resisting a wanton and violent attack upon them, every man fled from the fury of the military. I bow, however, to your Lordship's decision."

Examination resumed.—The people were peaceable on that part of the field where I stood. I should have thought it excessively imprudent in the Magistrates to have sent the constables into such a large assembly, closely wedged together as that was. I never went near the hustings. I have not admitted that the soldiers charged the people.

Mr. HUNT was proceeding to inquire into the conduct of the yeomanry, when

Mr. Justice BAYLEY interrupted him. It was a point which he meant to leave to the Jury, whether a body assembling in such numbers as to excite terror in the public mind was not illegal. A meeting might be illegal though its purpose was legal, by using illegal means to attain it; or a meeting might become illegal from the manner of it, as it

might from its numbers create an alarm in the public mind. This was his opinion, so he should state it to the Jury.

Mr. Hunt said, without impugning his Lordship's view of the question, he hoped he should be allowed to shew that the fears entertained were excited by erroneous notions. When an experiment was made to try the temper of a meeting by sending a few straggling drunken soldiers among them, as if to seduce them to try their power, he hoped he would be allowed to shew that the people, so far from offering any resistance, fled for their lives; indeed several of them lost their lives without even attempting resistance.

Mr. Justice Bayley said, Mr. Hunt was at liberty to ask any questions tending to shew what the conduct of the meeting had been.

The people were very closely locked near the hustings. I saw them from the steps of the Magistrates' house. Those near the hustings had their hats off. They were as close to each other as they could stand. I did not see them arm in arm. I did not hear one word of what you said on the hustings. When you were upon the hustings I was about 75 yards from you. It was natural that those who wished to hear you should crowd round the hustings, but not in the manner they did. (In answer to the Judge)—The wish to hear alone would by no means make them crowd as they did. (In answer to Mr. Hunt.)—It appeared to me that they were disciplined troops who came to protect you, or fight for you, as they might be called upon, or as occasion offered. I never have seen disciplined troops surround a man in such a way in order to fight for him. The crowd appeared to be ready to fight for you, as you gave them the command. Those persons would have kept the constables from you. The line of constables did not extend to the hustings. I tried to get to the hustings, but failed. I do not think the line of constables extended to the hustings at any time of the day. I saw the Manchester Yeomanry Cavalry when they were formed. I did not see them ride down any persons in coming into the field. They behaved with the greatest propriety, as far as I can judge. I am convinced they were sober. I spoke to some, and they evinced not the slightest inebriety. I saw Nadin, but I do not recollect having any communication with him. I did not see him make any attempt to reach the hustings without the aid of the Yeomanry. It would have been madness to attempt it.

Rev. Dr. Smith resided in Manchester; is head master of the grammar school; was near the Star on the 16th: saw a large body of men in Dean's-gate, it was that party that con-

ducted Mr. Hunt to the ground; saw him in an open carriage; was in the house next the Star Inn; the coach stopped; and the party stopped also, shouted, hissed, and groaned, opposite the Star Inn; did not know whether the Magistrates were then there or not. Saw or heard no signal, but it seemed to be done by consent. Mr. Hunt, he thought, was sitting. There was music and banners; could not say accurately what the numbers were; it was not practicable to get along the street; he acted upon that judgment, for he did not go home that moment as he intended. The crowd next stopped at the shambles nearer the ground; they marched at first irregularly, but near the carriage, both before and after it, there was great regularity; the men marched in rows in a practised step. When they arrived in King-street, the same thing occurred as opposite the Star, but being further off, witness did not see it so distinctly; heard shouting, hissing, and a clapping of hands; a white handkerchief was displayed from some window; the Police-office is in Back King-street. The mode in which they proceeded was most certainly calculated to inspire alarm; many of them seeming to be countrymen. The body itself was considerable, and connecting it with what he heard to be in St. Peter's-field, he became very anxious. Most of the shop windows were closed, but the doors, as far as he recollected, were opened. Witness shut his own windows, and locked both his front doors. The crowd round Mr. Hunt had not at all the air of a deliberative body.

Cross-examined by Mr. Hunt.

Witness is master of the Greek Grammar-School of Manchester; had a great number of boys; dismissed them on that day after breakfast: the number of day scholars and boarders was 110; 15 being boarders; they were sent home immediately after breakfast; did not think it prudent to keep them in school, thought it better to send them home, to be under the care of their respective parents. The usual hour of breaking up was half past twelve, and witness thought it safer to let them home at ten than at half past twelve. This alarm rose principally from what might occur in the course of the afternoon. No insult was offered to witness as he passed through Dean's-gate. Did not recollect to hear that any of his boys were hurt on that day. Recollected when George IV. was proclaimed the other day in Manchester, did not see any windows closed upon that occasion.

Examined by Mr. Scarlett.

When he dismissed the boys at ten, it proceeded from an apprehension that some disturbance might arise; had he kept them till 12 he would have felt much perplexed how to act. He did not know where the parents of all lived.

John Barlow examined by Mr. Serjeant Hullock.

I keep the Coach and Horses, in Dean's-gate, about 60 yards from the Police-office. I remember the 16th August. I was at home from ten o'clock in the morning until evening. I saw a number of people marching in bodies, in the same manner that soldiers do when drilling. I saw a carriage in the crowd, in which there were four persons. There was a woman in front, with a flag. When they got near the Policeoffice they stopped the carriage for a few minutes. A number of them turned their faces towards the Police, and gave three cheers. The persons in the carriage looked towards the police. There were several banners, upon one of which was "Equal Representation or Death." The cheers were very loud. I closed the shutters for fear of having the windows broken, and burned candles. Two of my neighbours closed their windows also. I remained at home, as I felt alarmed lest there should be some mischief.

Cross-examined by Mr. Hunt.

I have lived thirty years in Manchester; I remember the Proclamation of the Peace; there were great crowds, but not so large as this. There was much cheering and shouting: it was near my house, and also near the Police Office. No offence was offered to me. I felt great alarm during the whole of the 16th. I saw the Proclamation of George the Fourth; there was a great crowd; they marched very well, but I think they had not had so much drilling as the meeting on the 16th. The latter had sticks, and several shouldered them as soldiers do muskets. I may have mentioned this to some of my servants, but there are none of them here at present. I do not know whether the crowd who assembled on the Proclamation of the Peace had banners; I know they had no such flags as those used on the 16th. There never was half so many persons assembled at Manchester races as I saw pass my door on that day. I cannot tell whether ten thousand, twenty thousand, fifty thousand, or one hundred and fifty thousand persons passed my door on that day. I do not know how many persons I have seen at Manchester races at once.

Thomas Styan examined by Mr. Scarlett.

I am a gun-smith, residing in Market-street, Manchester. I saw numbers of people pass my shop on the morning of the 16th of August. They continued passing from eleven o'clock. I shut my shop for fear the windows should be broke, as I saw great crowds coming down the street. I kept my shop shut till two o'clock.

Cross examined by Mr. Hunt.

I know Richardson, the gun-smith. I do not know that he sharpens the swords for the cavalry. The crowd which caused me to shut my shop was going in a great hurry. There was no mischief done to my shop. The first time I shut my shop was about eleven o'clock. Soon after some shutters were taken down. I know Mr. Molyneux, my next neighbour; he does not know when the shutters were put up better than I do. The first time I opened the door and part of my windows, was between two and three. I do not recollect I ever had occasion to shut my shop before.

Edmond Simpson examined by Mr. Serjeant Hullock.

I am a hatter, and reside in Dean's-gate. I saw several bodies of people pass on the 16th August; they commenced passing about ten o'clock, and ended at one. They had music and colours.—When Mr. Hunt came up there was music with him; he came up at a quarter past one. The people marched about nine or ten abreast, and some part of them went in regular step. I shut my shop before ten o'clock, and kept it shut all day. I closed both doors and windows. I was afraid there would be a disturbance, and I was very much alarmed, and so were my family, at seeing them march in that manner. I have a wife and five children. I looked out of the up-stairs window.

Cross-examined by Mr. Hunt.

I was very much alarmed on that day; I was not afraid of the cavalry at all. I did not hear a report that the cavalry would attack the people. I did not open my shop that day. (In answer to the Judge)—Between 4,000 and 5,000 persons passed my house.

Matthew Cooper examined by Mr. Scarlett.

I am an accountant at Manchester. I went to the meeting of the 16th August, about twelve o'clock. I have some memorandums which I took on the ground. I think that about 100,000 persons were assembled; I measured the

ground, and made the best calculation I could as to the number who could stand on a square yard of ground. The meeting seemed principally composed of the labouring classes. The people stood so close that I could not get so near to the hustings as I wished. I saw the flags. I have an account of some of the inscriptions which were upon them. One was "No Boroughmongers;" reverse, "Unite and be free;" another, "Equal Representation or Death;" a third, "Taxation without equal Representation, is tyrannical and unjust." There were several others. I was on the field when Mr. Hunt and his party approached. Several who followed the procession had white paper or rags in their hats. I heard some of them say to the others "Lads, take care of your white rags." Before Mr. Hunt's arrival, I saw several on the hustings. Johnson was with Hunt. I saw Mr. Saxton and Mr. Knight on the hustings. I saw others whose names I do not know [here witness pointed out Swift and Jones, as two who were on the hustings]. Mr. Hunt on taking the chair made a speech. I heard the whole of it. I took notes of it on the ground, and they are now in their original state. It is thus [here witness read his notes]:—

"Gentlemen, I must entreat that you will be peacable and quiet, and that every person who wishes to hear must keep order; and all I ask for is, that during the proceedings you will be quiet. We will endeavour to make ourselves heard, but it is impossible for us to be heard by the whole. We wish our fellow-countrymen who do hear us will communicate to those who do not. It is useless to observe upon the intended meeting of last week, only to observe that those who by their malignant exertions, in taking advantage of a few illegal words, expected they had triumphed, instead of which it has produced two-fold numbers (there were cheers), and now we have triumphed. He went on to state that two or three placards, signed by two or three obscure individuals."]

While he was saying this, some companies of foot soldiers appeared in Dickinson-street, and formed. Mr. Hunt then spoke on, but I did not take notes any further; I shall give the substance from memory.

Witness went on to state as follows:—"He said never mind, they are only a few soldiers, and very few compared with us; we are a host against them."—In my judgment the meeting was such as to inspire very great fear in the inhabitants of the town of Manchester. My apprehension did not

arise from what I then saw, but from previous circumstances, and from information communicated to me.

Cross-examined by Mr. Barrow.

I know the appearance of Jones; I never heard that he was a carpenter employed to build the hustings.

Cross-examined by Mr. Hunt.

Q. How do you do, Mr. Cooper? I hope you are well; I have had the pleasure of seeing you before.—Mr. Hunt then went on to examine him.—What is your occupation?

A. I am an accountant.

Q. No other occupation?

A. I have no other occupation but those of an accountant and law-stationer.

Q. Recollect yourself?

A. I am Secretary to a Committee, but that arises out of my other occupations. I was Secretary to a Committee composed of 500 Gentlemen, in aid of the Civil Power.

Q. Are you not employed by the Police?

A. I am not in the employ of the Police.

Q. Have you any connexion with the Ministerial Newspapers?

A. I occasionally communicate with the *Courier* and *Morning Post* London Papers.

Q. Did you not send an account of the meeting in question to one of those Papers?

A. I sent up an account of the Manchester Meeting to the *Courier*.

Q. Did the Courier people publish it?

A. I think my report did not appear. I believe they selected from the other papers.

Q. Have you always been in the line of business you are now?

A. I have been in the service of a professor of the law for nine years.

Q. Do you not expect to be employed in the Excise department?

A. I have been under instructions for the Excise.

Q. Were you not at one time clerk to a brewer at Bolton?

A. I was, earlier in life, a clerk to a brewer; to Dawes and Fogg, of Bolton, perhaps twelve months.

Q. What was your father?

A. My father was in the Excise; he was supervisor of the district in which the brewery is situated.

Q. How came you to leave Messrs. Dawes and Fogg?

(Witness at first declined answering; at length he stated as follows:)

A. I applied to my own use money belonging to the firm, and Messrs. Dawes dismissed me in consequence. That money I have repaid to Mr. Dawes, with compound interest, up to the time of payment; I took the money out of the till, and was detected. I know John Roscoe; he was servant to Messrs. Dawes. I have repaid in all, with interest, 25*l.* It is some months ago, since I paid this money; it was the first money I could command. The reason of my not paying it sooner, was, that my father's death left three younger brothers to be supported by me: it was to Mr. Fogg I paid the money.

Q. How long is it since you returned this money?

A. It was paid three months ago. I did not take so much as 25*l.* from my master's till; but it being left to my discretion, I thought I ought to do my utmost to repair the injury.

Q. How long have you been in business?

A. I have been three years in business.

Q. Did you tell the Counsel for the prosecution this story?

A. I never told Mr. Scarlett, Mr. Maule, or Milne, this story. I did not know you knew it.

Q. Was the money you took marked?

A. The money which I took was stamped; if I had known that you were acquainted with it, I should have had Mr. Dawes here, as he would willingly come forward for me.

Q. Do you not think that you have been favoured through your father being supervisor of the district?

A. I do not know that my father being a supervisor of the district, and having great power over my master, was the reason why I was not prosecuted.

Q. What are you to receive for your services on this occasion?

A. I have not been paid by the magistrates or Police, except for being Secretary to the Committee in aid of the Civil Power. The accounts of the Committee were passed at the parish table.

Q. Don't you know this money was paid out of the parish rates?

Mr. Justice Bayley said this was not a relevant question.

To other questions witness answered:—I was within a dozen or fifteen yards of the hustings on the day of the meeting; I stood between the hustings and the house where the Magistrates were; I saw no disturbance. I went purposely to take notes of what you or any one else should say. The reason why the observations respecting the soldiers were not written down was, that all attention being directed to them when they appeared, I ceased to use my pencil; the cavalry were coming up at the time. I took down the heads of your discourse at the time, and the remainder I filled up from memory. All I have read is not down in my notes.

Mr. Justice Bayley.—Let me look at these notes.—(The notes were handed in.) I think there are the materials of such a speech.

Cross-examination continued.—I have a good memory. I wrote out my notes, and handed them over to Mr. Norris, the magistrate. I have not seen them since. I did not hear you say, "Put them down, and keep them down." I turned when the cavalry came, and you might then have said it without my hearing you; it was not said before the cavalry appeared. None but the Editor of the *Courier* employed me to take notes of what passed—(witness repeated the inscriptions on the flags.)—There was no bloody dagger on the black flag; the inscription on the black flag attracted my attention particularly; I had not time or I would have taken all the inscriptions. The black flag was attached to a pole as the other flags were; I saw no difference between them. I saw a barbed point to one of the flag-poles, it was painted red; the top of the pole was not a fleur-de lis. I did not see two hands and the word "Love" upon the black flag.

The Court adjourned at seven o'clock.

THIRD DAY.

This morning the same anxiety was manifested to obtain admission which marked the struggle of those who were anxious to be spectators on the preceding days. The ladies seemed still as curious as ever, and the obvious eagerness of their anxiety again induced them to enter the court through privileged avenues as early as seven o'clock in the morning.

Each side of the Judges' seat on the Bench, was, as usual, graced by the presence of rank and beauty, and Mr. Justice Bayley displayed to them that courteous affability for which he is so eminently distinguished. At eight o'clock the public gates were thrown open, and the galleries and area became filled in the usual manner by a mixed throng, who rushed into every seat and corner of the Court, that were not defended by constables for the Magistrates, Attorneys and Jurors.

At nine o'clock Mr. Hunt and the other defendants, with the Solicitors, entered the court, and occupied their usual places.

A few minutes previous, Mr. Justice BAYLEY entered the Court, and addressed Mr. Barrow, one of the Counsel for some of the defendants, in the following terms:—Upon a question which arose yesterday, I stated that we could not here enter into a consideration of the conduct of the yeomanry cavalry on the 16th August. Whether that be proper or improper we are not now trying. But when I say this, I beg the defendants particularly to understand, that it is open to them to shew the conduct of every part of the people collected at the meeting on that day, with a view to establish their peaceable character, or the tendency of their acts; also with the view of shewing that there was no desire manifested by them to resist the civil authorities. Into all this they may fully enter, but not into the propriety or impropriety of the conduct of the yeomanry. I mention this now, to have what I said yesterday explicitly understood, if it was not so at the time; and also for the purpose of allowing you, if you please, to call back any witness you may desire to put questions to, relative to the character of the meeting, but whom you may not, perhaps, have examined on that subject, through any misapprehension of what fell from me yesterday.

Mr. BARROW said, the defendants would avail themselves, if necessary, of his Lordship's kind permission.

Mr. HUNT, who had entered the moment after his Lordship made this communication, was apprised of it by the Judge's considerate repetition of what he had just said. Mr. Hunt then said—My Lord, I was quite aware of your Lordship's meaning yesterday. I know we are not here to try the conduct of the yeomanry cavalry on the 16th August, but whether the defendants are guilty of a conspiracy to form and attend an illegal meeting, and to inquire whether any illegal act had been committed by that people when assembled. I wish to shew the *animus* of that meeting, more particularly

as the opposite side have travelled out of the record, and at tempted to shew that we were concerned in instigating some individuals to inspire terror into the minds of peaceable people, and have produced witnesses to identify us, as it were, with those who wanted to take a man's good coat off his back—who wanted to make Manchester another Moscow;—and, 3dly, who wish to represent that I pointed to the soldiers, and then said to the people, "There are our enemies; get them down, and keep them down." If I can shew that instead of these statements being true as regarded the people assembled, they evinced a conduct exactly the reverse of that ascribed to them, and that their whole demeanour was orderly and pacific, then I imagine there will be an end to the indictment.

Mr. JUSTICE BAYLEY—I neither meant yesterday, nor do I mean now to exclude any evidence the defendants may have to offer respecting the conduct of the people assembled on the particular day.

Mr. HUNT—I had hoped we should have been spared the trouble of calling any evidence to shew the character of the meeting, so little has been said to impeach it; but as the other side has travelled farther, we shall be obliged to trouble the Court with our witnesses.

Mr. Justice BAYLEY—If you wish to put any question to the witnesses of yesterday touching the demeanour of the meeting, I shall call them back to answer you.

Mr. HUNT—If I shall find it necessary in the course of the day, I'll take the liberty of troubling your Lordship.

The trial was then resumed.

J. MILLS sworn, Examined by Mr. Sergeant Hullock.

Is a publican, living at Manchester. Was on St. Peter's-field on the 16th of August. Saw a large party arrive there. They were marching in files to the number of 3,000 or 4,000. The defendant Healy led them up like a military party. There was a trumpeter with them. Healy took the black flag from a man in his party, and got with it into a cart, around which the people closed, and he addressed them, and desired them to be steady and firm to their cause, for their enemies were at hand. The people cheered him. There was a trumpeter near him and a cap of liberty. He also saw Wylde (another of the defendants) on that day, leading up a party. (Wylde was not in Court at this moment, but the witness gave an accurate description of his person.) He saw Wylde that morning coming to the field with a party of about 2,000. They were the first that formed round the hustings. They had marched in regular files, six abreast,

in military order. When they came to the hustings, Wylde halted them, and said, "Link your arms," which was done quite round the cart. Afterwards, he said, "Fall back, and keep as you are," meaning, as witness understood, to keep their arms linked. They fell back upon the constables, and gave greater room round the cart. They were so linked five deep. About one o'clock Mr. Hunt came in a carriage, with Moorehouse and Johnson, and got upon the hustings. Saxton had been there for more than half an hour before this. He spoke several times to the crowd, but witness could not hear what he said. The crowd cheered him. At the time Mr. Hunt arrived, there were more than 60,000 persons present. The meeting was of a nature, in his judgment, calculated to inspire terror and alarm into the minds of the people of Manchester. He was at several meetings before, and saw them coming to them, but they never came in such a way as they did. Never saw so large a meeting before. Those who attended former meetings came to town two or three together at their own leisure, but at the present they came quite in a military array.

Cross-examined by Mr. Hunt.

Q. How long have you been a publican?

A. I have been a publican since last October twelve months.

Q. What were you before?

A. One of Nadin's runners as they are called.

Q. You look very well?

A. I am jolly and well (witness was a fat jovial looking man), and would be glad to see you look so well, Mr. Hunt.

Q. What were you doing at the meeting?

A. I was, like many others, a special constable on that day.

Q. Are you sure you saw Dr. Healy heading a party?

A. I am quite sure Dr. Healy came up, heading his party, which formed round the hustings with a trumpeter. He here repeated his direct evidence, and said that Healy might have recommended the people to be peaceable, though I did not hear him.

Q. You should call them squadrons, not parties?

A. I call them parties not squadrons; the latter are dragoons, Mr. Hunt.

Q. Have you not had conversation with some of the witnesses who have been examined?

A. I have conversed with none of the witnesses since this trial, about what has transpired in Court.

Q. Where you insulted at the meeting ?

A. None of the men insulted or assaulted me, nor did I see the them molest any body except shouting.

Q. They had music you say ; what tunes did they play ?

A. When you came up they played *See the conquering Hero comes*—(*Laugh.*)

Q. Do you think that amounted to an assault ?

A, I did not think that an insult or an assault.

Q. Did you hear *God save the King* and *Rule Britannia* played ?

A. I don't think I heard *God save the King* or *Rule Britannia* played.

Q. Will you swear they were not ?

A. I won't swear they were not.

Q. Where were Healy's party stationed ?

A. Healey's men formed at the back of Mr. Wylde's.

Q. Did they link their arms ?

A. The former, I think, did not link arms, the others did, and by the forming and keeping room, pushed back the constables, who were then but about a dozen or fourteen yards from the hustings.

Q. Is it not a common thing to be so linked at meetings ?

A. I never saw such a thing done at a meeting before, and it alarmed me as well as many others.

Q. You complained of it then of course ?

A. We did not complain of being pushed back, nor ask them for a more direct communication with the hustings.

Q. What did you hear Wilde say ?

A. Wilde ordered them to be firm and steady ?

Q. Did you observe any thing remarkable in his appearance ?

A. He had a tradesman's apron on.

Q. Had he said any thing treasonable or improper you would have heard it ?

A If he had said any thing treasonable or violent, I should have, as a special constable, noticed it.

Q. Will you swear that he did not recommend peace and order ?

A. I will not swear that he did not recommend peace or order.

Q. Did you see any constables assaulted ?

A. I saw no act of violence committed by any body in the crowd upon the constables.

Q. How did we seem ; merry or displeased ?

A. When you came they shouted, and you seemed all merry together.

Q. When did Saxton arrive?

A. Saxton was there half an hour before you. You said they must be quiet, if not, to pull them down and keep them quiet. I did not hear you tell the people to pull the soldiers down and keep them down. I heard you say nothing so foolish or wicked.

Cross-examined by Mr. Barrow and Mr. Holt.

Nothing material transpired, except that he did not see Moorhouse on the Hustings, though he did Saxton, before Mr. Hunt came. Saxton was a reporter to a newspaper, but he could not recollect whether he saw him with a pen and ink.

Mr. HEALY—Did you or did you not tell me, the week before, that if I attended that meeting you would take me into custody?

A. I did not.

Q. Did you or did you not say to one of your customers, that when you saw me on the hustings you marked me down for your bird?

A. I did not; but I was over near where I lived at that time, and was called where you were—this was on the 8th August, and he knew me very well, my Lord, as I once took him up to Lord Sidmouth's office. He asked me, "You have not another warrant for me, Mills?"—No, said I, I have not. Then, said he, sit down and take something with us. We then talked over our travels together when we were in London.

HENRY HORTON, sworn, examined by Mr. Scarlett.

Q. Were you at Manchester on the 16th August last?

A. I was at Manchester meeting on the 16th of August.

Q. For what purpose did you attend?

A. I attended to take notes for a paper.

Q. Did you observe what was going forward in different parts of the field?

A. I was at several parts of the field at different times. I saw several parties come into the field in regular order.

Q. At what time did you arrive?

A. I was there about half-past eleven o'clock.

Q. You saw the flags, what sort of flags were they?

A. I saw the flags and banners; one of them was surmounted by something like a dagger painted red.

Q. Did you see the constables?

A. Before Hunt came, there was a line of constables

formed from the hustings to Mr. Buxton's house; did not observe that the hustings were removed.

Q. Did you see Jones?

A. Saw the defendant Jones.

Q. What did he say?

A. He exhorted the meeting to be peaceable, and mentioned something to the effect that the committee had ordered, on the Saturday preceding, to form round the hustings, at 6 yards' distance, and to lock themselves arm in arm, in order that they might not be broken in upon. I don't give these as the precise words: they were preparing the hustings at that time. There was no particular movement then, but afterwards the people locked arm in arm.

Q. Did you see Wylde?

A. I saw the defendant Wylde, and heard him address the people to the same effect. Mr. Swift, one of the defendants, also addressed the meeting, and received a better hearing than the other.

Q. What did Swift say?

A. Swift also exhorted them to be peaceable until their Chairman came; to be quiet, and not give their enemies an opportunity of exercising that power which he knew they were ready to do. "Let us prove," said he, "that we are not mad, as they say; but if we are mad, it is the most pleasant insensibilility I ever experienced in my life."

Q. Were you certain these were his words?

A. I am certain these were the words he used. I took notes up to this time, but after this I was getting nearer the hustings, and I found it more prudent to put my notes and my pencil in my pocket. I was now near the hustings, which were surrounded by people, about eight or nine deep on one side, and five or six on the other. The people locked arms. I entered into this arrangement that I might not be remarked; and two persons were locked with me, one at each side. I was not the locker but the locked. It would have been impossible for any man to have forced his way to the hustings then. There was a body of six or seven deep between the constables and the hustings.

Q. Did you see Mr. Hunt come?

A. I was present when Mr. Hunt came.

Q. Did you observe who was with him?

A. Moorhouse was in the carriage with him, I believe.

Q. How did they get to the hustings?

A. The people opened to make way for him; when he got on the hustings, the flags and banners were brought nearer.

Q. Did Mr. Hunt speak, and what did he say?

A. Mr. Hunt addressed the meeting in front, and requested them to be quiet, and not to interrupt by calling "Silence," as that made more noise than any thing else. This was in front, and I was at that time behind the hustings. Hunt turned round, and said something to the same effect at the other side; he added, "if any one attempt to destroy our tranquillity, I hope some persons will be found with courage enough to put them down, quiet them, and keep them down." A man behind me said, "why, that's killing them;" but this was in a low tone, and could not be heard on the subject. Hunt then turned round to the front of the hustings, and addressed those before him. He began by requesting that no persons would call "Silence," as the calling of that made more noise than any thing else. He then congratulated them on their assembling, and thanked them for the honour they had done him in electing him chairman of so large a meeting. He then said that it was unnecessary to allude to the meeting which was to have taken place on the Monday before; but the magistrates, in thinking that they had triumphed on that occasion, had been the means of doubling their numbers on the present; he would not then allude to those placards which were signed by Jack Short and Tom Long, or some such insignificant individual. Mr. Hunt was here interrupted by the appearance of cavalry, which had come near Buxton's house. This created some confusion near the hustings, and Mr. Hunt made some observations, which were lost in the noise. Hunt then said, "Stand firm, my friends, they are in disorder already: let us give them three cheers." The cheers were accordingly given. The soldiers then came on, and took the men on the hustings.

Q. What became of you then?

A. I was thrown back from the hustings by the pressure of the crowd; there was great confusion.

Q. The meeting you saw was very numerous?

A. The meeting was the largest I ever saw. I was not acquainted with Manchester, and had not seen such meetings there.

Q. What do you suppose was the number of persons present?

A. I cannot exactly judge of the numbers present, but I think they were not less than 60,000.

Q. Of what description were the people generally?

A. They were in general the working classes.

Q. Did you consider it a dangerous meeting?

A. The meeting, in my judgment, was calculated to excite considerable terror and alarm in Manchester.

Cross examined by Mr. Barrow.

Q. You are a Reporter you say, and arrived on the ground at eleven o'clock?

A. I came down as a Reporter for a London Paper, and was on the field at eleven o'clock.

Q. Did you observe Jones doing any thing?

A. Jones was assisting in putting up the hustings.

Q. Do you know that he is a millwright?

A. I don't know that he is a millwright.

Q. What did you hear him say?

A. He exhorted them to be peaceable.

Q. Is it not customary to have some sort of barrier at public meetings?

A. He did not know whether it was usual to have some barrier at public meetings, to prevent the crowd from pressing on the hustings.

Q. Did you not think it a judicious precaution?

A. It was a necessary and safe measure, perhaps, or it might be so to form this barrier themselves by linking around, so as that a little space should be kept and all anxious to hear. And this was accompanied by an exhortation to be peaceable.

Cross-examined by Mr. Holt.

I heard Jones and Swift address from the hustings, but to my recollection nobody else before Mr. Hunt came. I was within six yards of the hustings, and if any body else came up to speak from the hustings, I must, I think, have heard them. But still possibly it might have occurred, as there were preliminary matters to which I did not pay much attention. Those whom I have mentioned spoke merely to the same effect repeatedly, and it is very likely that others may have done the same. I think I should have certainly noticed Saxton if he spoke and was cheered—it must have attracted my attention. I can't, however, conclude that he did not speak, for the observations of the speakers were to the same effect, and as they were all strangers to me, I could not positively say who did or did not. If Saxton did come forward and speak, I think I must almost of necessity have noticed him. I don't recollect Saxton on the hustings, but can't speak positively, as all the persons there at the time were strangers to me.

Cross-examined by Mr. Hunt.

Q. What papers are those which you refer to?

A. The papers I hold in my hands are two of *The New Times*, containing my accounts of the transaction at Manchester, which are the same as I have verbally given in Court.

Q. You attended the meeting as a Reporter?

A. I was sent down as Reporter to *The New Times*.

Q. Are those reports printed exactly as you sent them.

A. The accounts in those papers are not perhaps exactly the same as I sent—that is, verbally so, for they were drawn up in a hurry, and may require verbal corrections. It is not usual to alter the tenor of my reports; but hasty verbal inaccuracies may be corrected.

Q. What other occupation have you?

A. I have no other occupation than that of a Reporter on *The New Times*, and an occasional correspondent for some country papers.

Q. Do you not, occasionally, communicate with the Manchester Police Office.

A. While at Manchester, I was frequently at the Police-office to gain information of passing occurrences.

Q. Are you acquainted with Mr. Nadin?

A. I know Mr. Nadin.

Q. You exchange intelligence with the Police?

A. I do not communicate any information to the Police-office, as well as I receive it from thence. I merely reported for the paper I have mentioned.

Q. Have you never been employed by the Solicitor for the Treasury?

A. I was never employed by the Solicitor to the Treasury.

Q. Have you not seen Mr. Maule?

A. I never saw Mr. Maule until a month ago.

Q. Have you ever been at Halifax?

A. I never was at Halifax, except passing through on my way here.

Q. What other papers did you send your account to?

A. I sent no communication of the Manchester business to any other London Paper than *The New Times*.

Q. What appeared, then, in that paper, we may look upon as coming from yourself?

A. What appeared in that newspaper was from my pen. The communications which I sent were of occurrences under my eye.

Q. It was all your's ?

A. I believe there was a letter sent to the paper from Manchester, but from whom I did not know.

Q. Did you never say that it was a made-up report?

A. I never told any one that my report was made up from what I heard from other London reporters. That was not the fact.

Q. You were locked in you say amongst the people ?

A. I was locked in among the people.

Q. You must, being so high bred a gentleman, have been curiously situated among the lower orders. Did you get any thing unpleasant in the crowd ?

A. I felt no inconvenience; nobody threatened to take my good coat off my back ; I was certainly alarmed.

Q. How came you to omit " the putting down and keeping down" in your account that you sent up ?

A. Because I wrote the report in a private room; the moment I got out of the crowd, I, without reading it over, sent it by an express to town; I afterward noted down more particulars on refreshing my recollection, and then I remembered that passage in your speech as well as another which I did not know I omitted until the paper reached Manchester. It is not my practice to omit material and transmit trivial points. I did not recollect the omission before I saw any other paper. I never sent up to have it corrected, as I had other things of more consequence to attend to.

Q. Did you understand when I said " keep them down" that somebody was to be put to death ?

A. It certainly never struck me that by making that observation, " keep them down, &c." you meant to put any one to death.

Q. Were the military in view when I said so ?

A. There were no military in view when you said, "keep them down, &c. ;" it was when you spoke to the people at the back of the hustings.

Q. Were you near enough to see whether I pointed to any body ?

A. I was very near you at the time, and did not see you point to any one.

Q. Then those who have said, I pointed to the soldiers and said, there are your enemies, put them down, &c. &c. are not correct ?

A. Certainly not, according to my recollection.

Q. Have you your original notes ?

A. I have not got my original notes, though I knew for what I was coming here.

Q. What became of your original notes ?

A. The notes I took on the field I lost on the same day in Mr. Perry's offices, the solicitor, at Manchester.

Q. Have you ever inquired for them ?

A. I made the greatest inquiries after them without effect.

Q. Have you a transcript of them ?

A. I have not brought down my manuscript reports to the papers; they may be lost or not, I never saw them since they went.

Q. Is your recollection at this time perfect, as to the occurrences of that day ?

A. I refreshed my memory from the account in the papers which I hold in my hand. Though there is a verbal difference between parts of the written and the printed account, yet there is no alteration of any matter of fact.

Q. Did you hear me endeavour to incite the people to riot or disorder ?

A. I did not hear you exhort the people to any act which had a tendency to lead them to violence and disorder.

Mr. Hunt (holding in his hand a number of *The New Times*, of the 18th of August)—Look, Sir, at the early part of the report in this paper—is it yours ? Yes, I wrote it.

The paragraph referred to stated the arrival of Mr. Hunt and others at the hustings, in a coach, accompanied by "Tyas" in the coach.

Q. Is it true, can you swear to it ?

A. I cannot swear to it, I was told Tyas was one.

Q. Did you not know Mr. Tyas ?

A. No; I was also told Saxton was there; I received my information on the field as well as I could; I don't recollect seeing Saxon in the field.

Q. Is this passage, in which you speak of a lady, who was on the box of the coach, as "a profligate Amazon," your writing ?

A. It is.

Q. Where did you get that information ?

A. I received it from some person who told me who were the parties, for I did not know any of them myself. I called her a profligate Amazon, because I thought her appearance in the manner and place where I saw her, justified the observation.

Q. Have you never seen a Lady present colours at the head of a regiment ?

A. I never saw a Lady present colours at the head of a regiment.

Mr. HUNT read from *The New Times* report—"The soldiers advanced and surrounded the hustings, when Mr. Nadin, with the utmost resolution, seized hold of Johnson first, and then of Hunt, and afterwards of several others, whom he handed to his assistants, and the latter carried them immediately to the New Bailey. The banners were the next objects to which the police officers directed their attention, and with very little resistance they got possession of the whole of them. The scene that now ensued was truly awful! The shrieks of women, and the groans of men, were to be heard at some distance. Every person who attended out of curiosity, finding his personal safety at risk, immediately fled, and where was then the boasted courage of these mad-headed Reformers? They were seen retreating in all directions with the utmost speed. The crush was so great in one part of the field, that it knocked down some out-buildings at the end of a row of houses, on which were at least 20 or 30 persons, with an immense crush. As I was carried along by the crowd, I saw several almost buried in the ruins. Others, in their anxiety to escape, had been trampled on by the populace, many of them to death. A feeling of *sauve qui peut* appeared now to fill the mind of every body, and the dreadful result is not yet known."

Q. What do you mean by six caps of Jacobinism?

A. Those were red caps of Liberty, with "Henry Hunt, Esq." on them.

Q. Why did you call them caps of Jacobinism?

A. It was the colour and the shape, not the inscription, which gave me this notion of them.

Q. Have you seen the cap of Liberty on this castle?

A. I have not examined this castle, nor been struck with the cap and pole surmounting it.

Q. Did you not see many hurt?

A. I did see several people hurt near the out house by the pressure of the ruins.

Q. And some cut?

A. I saw nobody cut while I was there.

Q. From whom did the groans proceed?

A. The groans proceeded from the crowd getting away from the field.

Q. Did the field then attack the people?

A. I know as well as you the field did not attack them. I

presume they were endeavouring to get away on the appearance of the soldiers, and not from any act done them by the soldiers certainly.

Q. How did you escape?

A. I escaped amid the pressure of the crowd.

Q. Have you never said you were cut at?

A. No one attacked me, no one cut at me with a sword, no one cut at my hat with a sword, nor did I ever tell such a thing to any one.

Q. Have you never said that you carried a constable's staff for protection?

A. I had no constable's staff on that day, nor ever said I saved myself from a blow of a sword by holding up a constable's staff on the day of the 16th of August.

Q. Never to a Reporter?

A. I never said such a thing to any brother Reporter, nor that a yeoman who struck at me exclaimed, "d—n you, why did you not shew that staff before?" I have certainly told people that I was coming here as a witness for the prosecution, and might have said "against Hunt," but I never said "I would do for him in the witnesses' box."

Mr. Hunt again read from the report.

"Had it not been for the interference of Nadin, the Deputy Constable, whom these men have particularly calumniated, it is certain that Hunt would not now have been alive, for the military were determined to cut him to pieces."

Q. Who told you that?

A. I cannot recollect now; but I was told it by somebody between the meeting and twelve at night.

Q. Cannot you recollect who told you this?

A. I do not recollect; it was an occurrence which I heard, and as it struck me to be a forcible circumstance I mentioned it, though I cannot think it was likely to be true.

Q. How came you to insert "it is certain," when you say you did not believe it to be true?

A. I did not think it likely, yet having heard it I felt it right to mention it, as it was related to me, and I certainly wrote "it is certain," merely stating what had been communicated to me.

Q. You are employed, you say, by the proprietors of the *New Times;* Who are the proprietors?

A. I am employed by the proprietors of *The New Times*, the only one of whom I know is Dr. Stoddart.

Q. Is he not a relation of yours?

A. He is no relation of mine.

Q. Did you not know that I had bills found on an indictment for libel against that paper?

A. I did not know when I wrote that account that you had bills found upon an indictment against that Paper for an alleged libel. Though I knew you were proceeding for some libel, I did not know it was for urging people to assassinate you. I did not write what you call a libel. I know nothing about it.

Q. Did you not know that Mr. Tyas, instead of being a delinquent, was, like yourself, a London Reporter?

A. No; I never saw him until the Manchester Meeting.

Mr. Hunt read on further—"The yeomanry were supported by the Hussars. Among the *spolia opima* they say are to be reckoned sixteen banners, with seditious inscriptions, and six caps of Jacobinism. At the moment when Hunt was seized there could not have been fewer than 50,000 persons on the ground." The loyal inhabitants of Manchester, and loyal they certainly are, felt themselves imperatively called upon to rescue the town from the odium cast on it by the toleration of these Meetings. It is solely from such feelings that they have acted, and in so doing they have certainly set an admirable example to the community at large; for though irritated to a very high degree, they have conducted themselves on this unhappy occasion with the greatest temperance and moderation.

He then turned to a leading article in the same paper, which stated that "the wretch" who was foremost in the meeting changed countenance, and that his "grin of malice" gave way to a pallid and sallow hue.

Q. Is that your writing?

A. It is not.

Q. By whom was it written?

A. I don't know.

Q. Is it true?

A. It is true that you looked pale at the approach of the military.

Q. And that my lips quivered?

A. I have nothing to do with the garnishing of it; you certainly looked pale, as I have mentioned,

Q. Were not the shrieks of the women and the groans of the men calculated to appal the stoutest heart?

A. I heard no shrieks at that time, nor until afterwards.

Q. You saw me make no resistance to the constable's staff, it was an instant surrender; did I resist?

A. I saw you make no resistance, but it was rather a seizure than a surrender. I think it was Nadin who seized you. I heard no question put by you to the officer of cavalry. I saw Nadin take Johnson off the hustings by the leg, and it appeared to me he was about to do the same to you; but as I had turned round at the moment, I can't say exactly how he took you.

Cross-examined by Mr. Bamford.

Q. With whom did you communicate at the police office?

A. I occasionally saw Mr. Nadin at the police office, and got accounts of public business from him.

Q. Did Mr. Nadin tell you Mr. Hunt was to be cut to pieces?

A. It was not him who communicated to me the intention of cutting Mr. Hunt to pieces.

Q. Have you not occasionally communicated with Mr. Milne and Mr. Cowper?

A. I never communicated with Mr. Milne, but I have with Mr. Cowper, the accomptant, sometimes at his own house, and sometimes in the street. Between the time of the meeting and the night, I communicated with a number of persons, whom I don't now recollect.

Q. From your appearance, I should presume you have the honour and manners of a gentleman, why not then have communicated to Mr. Hunt the intention to cut him to pieces?

A. I did not hear it until after the meeting, and of course could not have made a previous communication.

Cross-examined by Mr. Swift.

I know you, though I did not see you until the meeting at Manchester. I refer these words to you as having uttered them in your speech (some few sentences, recommending peace and good order.) Your speech was, I think, applauded, and so was that of every body who spoke.

Re-examined by Mr. Scarlett.

Q. Do you know of any indictment against the paper for a publication to urge any body to assassinate Mr. Hunt?

A. I know there is a charge of libel for something like calling him "a coward;" it relates to some occurrence at the Westminster Election, between Mr. Dowling and Mr. Hunt, on the hustings. There is nothing, I think, in that

article, inciting any body to assassinate Mr. Hunt. I have no recollection of hearing Mr. Saxton address the meeting, but I occasionally left the field. I was not near the hustings the whole time. There might have been others speaking, though I did not hear them. As near as I could I sent a faithful relation of what I saw, and what was told me by others. I never used the expression "I'd do for Mr. Hunt," or that "I had a constable's staff on that day, either to Mr. Tyas or Fitzpatrick, which protected me from yeomen's sabre blows."

JAMES PLATT sworn.—Examined by Sergeant Hullock.

Was a constable belonging to the police in Manchester. Was on the ground, at St. Peter's-area, on the 16th of August. Saw defendant Healy, at the head of many hundreds, go up to the meeting, where he got into a cart, and appeared to address them. I did not hear what he said. There was a black flag with the party, with the words "Lees, Saddleworth, Mosley," upon it. Saw other parties besides this. One was coming very near the church. Some of them had sticks, and were marching three and four abreast. Saw Mr. Hunt arrive with a much larger party. Knew Bamford and saw him on the hustings, but could not say how he got there, he apparently shouting with the rest.

Cross-examined by Mr. Bamford.

Q. Did you hear me shout?

A. I did not hear you shout, but you appeared to do so. There was an immense shout, in which you appeared to join. I considered it a shout of defiance to the constables on the ground. There was a waving of hats and sticks. At the time of these shouts the people kept their faces towards the constables rather than towards Mr. Hunt. Mr. Hunt had then come upon the ground. There was all sorts of noises made. He had heard shouts and huzzas from respectable meetings. He would not say whether their shouts was not like that he heard at the meeting of the 16th.

Cross-examined by Mr. Hunt.

Q. How and where did you first become acquainted with the Police Office?

A. About five years ago I first became connected with the Police.

Q. Do you understand what is meant by a *flimsey*? What is the present value of a *flimsey*?

A. I cannot say what the price of a *flimsey*, or forged note, is now.

Q. But five years ago a *flimsey* was worth *ten bob* (10s.)

A. The price a *flimsey* then, in the flash language, was *ten bob* (ten shillings.)

Q. That was, that a 1l. bad note was sold for 10s.?

A. Yes.

Q. How did you find this out?

A. My knowledge of this arose from the circumstance of my father having had several forged notes passed upon him, which, out of aggravation, I wished to detect the utterers. I went to the people, and by inveiglement I got them to offer me some of them, and I went off that night to the Bank of England with the notes. I succeeded in detecting several, and I would do the same again. I gave 2l. 16s. for the 5l. note, and 8s. for each *flimsey*. The man who sold me the notes is now at large in Manchester. I was not suspected as an accomplice.

Q. This was the commencement with Nadin?

A. This was the cause of my first introduction to Nadin.

Q. Have you inveigled any more since?

A. I have inveigled several others since.

Q. Any of them been hanged?

A. One of them was hanged.

Q. What did you get for that?

A. I will not tell how much money I got for the conviction of that man.

Q. Have you appeared against others and got them convicted?

A. I have appeared against several others, and all were convicted.

To other questions witnes said I saw Mr. Hunt, Johnson, Bamford, Healy, and Moorhouse, on the hustings; would swear that I saw Moorhouse on the hustings. I was about 30 or 40 yards between the magistrates; would not say that the people did not cheer Mr. Hunt on his arrival; was not hurt on the field; did not see the people commit any breach of the peace where I was.

JONATHAN ANDREW sworn.—Examined by Mr. Scarlett.

I reside at Hendam-hall, near Manchester; was one of the constables of the town on the 16th; have property in the town; went to the place of meeting; there were some additional constables found necessary; went upon the ground at 12 o'clock, and a line of constables was made from

the hustings to Mr. Buxton's house. At first the hustings were nearer to Mr. Buxton's house; but they were afterwards moved off some yards; saw them removed; they consisted of a cart, with planks upon it; saw a great number of persons arriving, and marching like soldiers; they marched five or six abreast; a great many of them had sticks, and some carried them on their shoulders as soldiers do their muskets; there were others who had their sticks differently. When each division arrived they set up a shout, and were answered by those on the hustings; they shouted, and flourished their sticks; was near the hustings, and saw Jones speaking; when Hunt came, the crowd was immense; estimated them at between 60,000 and 70,000 persons; they consisted chiefly of mechanics and labourers, and very few of the higher orders attended. The impression on my mind created by the meeting was, that so large a meeting could have no other tendency than to overawe the respectable inhabitants of Manchester and its authority.

Cross-examined by Mr. Barrow.

I did not know that Jones was employed as a mechanic to put up the hustings.

Cross-examined by Mr. Hunt.

I think the division that carried their sticks shouldered was that which was accompanied by a black flag, bearing the inscription "Equal Representation or Death." I saw them marching into the field with sticks shouldered like muskets. The sticks were of different sizes, but they were, for the most part, very large and thick. With few exceptions, the people all carried sticks. I calcualted the number of persons present at 60,000 or70,000. I cannot say what number of sticks they had amongst them. The sticks were very large, both with reference to length and thickness. They were different from common walking-sticks, but I was not near enough to examine them minutely. The sticks varied materially in size, according to the size of the men, but I believe they were from 4 feet to 4 and a half long. I did not perceive, with the division carrying them, a flag inscribed "Mosley, Oldham, and Saddleworth Union." Every fourth or fifth man seemed to have a command; those who commanded had, in general, sticks in their hands; the division of which I have spoken consisted of between 3,000 and 4,000 persons; I cannot state, with any degree of accuracy, the number that carried sticks. I am positive, however, that more than one in ten, or more than one in five, carried

sticks. When they came on the ground, the division shouted and waved their sticks in the air. I had no particular companion on that day, and do not know that any person in particular witnessed with me what I have stated. We had 100 constables on the ground that day, but I do not know one of them by name who saw the transaction to which I speak. After the people shouted, they marched as near as they could to the hustings, in the same manner as that in which they had entered the field. I heard no word of command given, no direction to shoulder arms. I have not called these sticks muskets. I could not, for the different divisions were not playing at soldiers. I did not see the people strike the constables with those stieks. I observed other divisions march to the ground. The persons who formed them in general carried stieks. I was in almost constant communication with the magistrates, and therefore it was possible the people might have used their sticks against the constables without my being aware of the fact. There were very few women or girls present. I was on the ground when you arrived, but not sufficiently near the hustings to hear what was said. I did not observe the people commit any violence. I did not see any other arms except those sticks; neither pistols nor swords. I did not see any person wounded except at the infirmary; and, though on the ground, the constables did not, in my sight, make use of their staves.

T. HARDMAN sworn, Examined by Mr. Littledale.

I was a special constable on the 16th of August; when I first got to the ground (about 11 o'clock), there was but a few people assembled; soon after several parties came in in regular military order, carrying sticks. Those that I saw carried them in the left hand as soldiers do muskets, and seemed to have command over the others. They marched towards the hustings and were cheered as they went up. I heard two persons speak from the hustings before the whole party arrived. The first speech was, "There has been an order given to stand six yards back from the stage, otherwise you will afford your enemies an opportunity of rushing in with their cavalry and all their corruption." The other speech was soon after, I know not which was first, it was as follows—"If you had ever so stout hearted a leader you will do no good unless you stand firm to your post."—Both these speeches were made before Mr. Hunt arrived. Jones spoke one of the speeches, the first I believe. I know not who spoke the other. I saw Mr Hunt come up in a barouche, attended by a large crowd. I was then at a distance, and

could not judge how many came up with him. He got upon the hustings, which were at that time removed eight or ten yards farther from where the constables stood, than they were on their first erection. I think there were 60,000 or 70,000 persons present. The alarm in Manchester was very great.

Cross-examined by Mr. Barrow.

I have an uncle named James Hardman, a brewer. Jones was some time since employed by him as an engineer and millwright. I do not know that Jones was employed to erect the hustings. I was between 15 and 20 yards from the hustings when he spoke. A Mr. Green was with me, and also heard him. I do not know any body else who was present at the time. Mr. Green is here. I think the words are correct, as Mr. Ellis, who was near me wrote them down. I am not positive that it was Jones who made the first speech, but I believe that he did.

Cross-examined by Mr. Hunt.

I am a dry-salter, and acted as a special constable on that day. I can't say that a Reporter standing within five yards of the hustings and taking notes, is likely to be more correct than myself. I saw the Oldham division marching in in regular order. I never saw a copy of the indictment against you. The expression of one of the men who appeared to be a leader attracted my attention to the Oldham division. The commanders had sticks which they carried in their left hands as soldiers do muskets. I did not see any of the men make use of their sticks. I saw no black flag. The sticks were very large ones, but not so long or so large as a musket. They were of different sizes. Some were three or four feet long, and about half as thick as my wrist. I saw no persons injured that day. I remained on the ground till you were taken to the New Bailey. I accompanied Mr. Hay to London.

Q. Did you give the same evidence before his Majesty's Ministers as you have given here?

Witness- Does your Lordship think I ought to answer that question?

Mr. Justice Bayley—You may answer it.

Witness—I did. I am not a magistrate.

Mr. Hunt—Did you compare the evidence given to Ministers with what you now say?

Witness—I do not think proper to answer that question.

Mr. Justice Bayley—I think you may say whether the evidence given on both occasions be correct.

Mr. Scarlett—I object to this question.

Mr. Justice Bayley (to Mr. Hunt)—Do you mean to contradict the evidence of this witness?

Mr. Hunt—If I can shew that he has equivocated, I think I have a right to do so.

Mr. Justice Bayley—You may ask any question tending to invalidate the testimony of the witness.

Mr. Scarlett—I object to this question.

Mr. Hunt—If he gave different testimony at different times, I wish to know where and how he corrected his opinions?

Mr. Scarlett—The defendant has no right to inquire into what has taken place elsewhere, unless he mean to contradict the witness; it is under a pledge of this sort that such questions are allowed. But how can the witness be contradicted in this instance, without calling some of his Majesty's Ministers into Court, which cannot now be done? If the witness say that he has not given the same evidence in both places, then the inference will be against his testimony, and I shall have no opportunity of shewing the contrary. If Mr. Hunt can contradict the witness in any legitimate form, I have no objection to his going on.

Mr. Justice Bayley—I am of opinion that a general question of this kind might be asked, not for the purpose of being received as evidence, or of contradicting a witness, but in order to go to his credit, and of seeing if his evidence was substantially the same.

Mr. Hunt said, that sooner than put any question likely to disturb the verdict when given, he would waive the question.

Mr. Scarlett—Don't be afraid, Mr. Hunt; if you are acquitted the Crown will not move for a new trial.

Re-examined by Mr. Littledale.

Mr. Justice Bayley said, that if he received what was, or rejected what was not evidence, the Crown would certainly be at liberty to move for a new trial.

Mr. Hunt waived his question, and the examination proceeded.

Captain Henly, of the Manchester Yeomanry Cavalry is a cousin of mine. He was on duty that day.

The expression which attracted his attention to the Oldham division was used by a man who carried a stick; he said, "who said we Oldham lads durst not come here today?" I heard nothing else.

J. GREEN sworn.—Examined by Mr. Serjeant Hullock.

After confirming the last witness as to the mode of marching to the ground, and as to the language used by Jones, said—I heard no word given: I saw no arms, no muskets: some of the people had sticks: the meeting was calculated to produce the most alarming sensations. It certainly appeared to me more like the beginning of a general rising of the neighbourhood than of a meeting for any peaceable purpose, especially for the purpose of deliberation. I conceive deliberation to have been impossible. In my judgment, they were by far too great a body for any person to be heard from the middle to the extremity; therefore they could not deliberate. As to the numbers, I estimated those who formed the ring, who took off their hats, shouted, and felt a lively interest in the business of the day, at about 40,000. In consequence of what I saw, I joined in an affidavit, at my own instance, relative to the business. I went from the ground where I stood, to the magistrate's house, for the purpose of making the affidavit.

Cross-examined by Mr. Barrow.

Except the young man (Mr. Ellis) I do not recollect the names of any of those who were standing near me when the speech which I have quoted was delivered. Persons nearer than I was must, if they paid attention, have heard better than I did; but that depended in a great measure on the degree of attention that was given. I did not think the speech contained any thing extraordinary; but an intimation having been given to me, that undoubted information should be procured of what actually took place, I caused the speech to be written down. I know Henry Horton, the Reporter of the *New Times*. At the period of the meeting I was not acquainted with him. If he had been near the hustings, he ought to have heard that speech.

Cross-examined by Mr. Hunt.

I am a manufacturer. The person who intimated to me a desire that correct information should be obtained was Mr. Moore, who is one of the head constables of Manchester, and connected with the police. Mr. Ellis was near me when the speech was delivered by Jones. I had a perfect recollection of the words, and so had Mr. Hardman; and from our dictation, they were written. Ellis did not write what he heard Jones say, but what was dictated. I was boroughreeve in the year 1816-17. Several meetings, during that period, took place in St. Peter's-field. That which

took place in March, 1817, attracted my particular attention for a variety of reasons, especially the extraordinary nature of its object. I know of no person being killed on that occasion. It was what was called "the blanket meeting." I know of no person being killed at that time between Manchester and Salford. I saw all the divisions march to the ground on the 16th of August. The people had no arms. They did not insult me, nor did I see them insult any other person. I recollect a meeting held in January, 1819, at which you presided. It was a small meeting compared with that of the 16th of August. I recollect many other meetings more numerously attended than that of 1819. I was present at that meeting for a short time. I did not then hear of any violence connected with it. I saw you returning from it. I was near enough to see the hustings fall on that occasion, but I did not know that the accident was caused by the pressure of the crowd. Whatever the hustings consisted of on the 16th of August, whether of one cart or two, they were removed, soon after I arrived on the field, from their original position. I do not remember having seen any planks. I know Matthew Cooper; he is, I believe, a respectable man. I understand he took down an account of the proceedings. I have been also informed, that William Horton, another reporter, attended for the same purpose. But, although I may vary in my account of Jones's speech in some slight degree, I can swear that what I have stated is the sense of what he said, if indeed it can be called sense. Jones certainly made use of the word "corruption." What he meant I know not, for I never could make sense of the expression. I saw one person who had been hurt on the 16th of August.

Re-examined by Mr. Sergeant Hullock.

I saw the meeting in the June preceding; it was not to be compared with that of the 16th of August. The people on the former occasion went to the meeting individually. I never heard that any of them proceeded thither in bodies. I saw Mr. Hunt at the meeting in January: he had no property or connexion in Manchester; he did not pay as a householder when he was there: I believe he resided with Mr. Johnson.

JOHN ELLIS *sworn*, described the flags and the manner of marching to the ground. He then proceeded—After I got on the ground, before Mr. Hunt came, I observed a person address the crowd from the hustings; I did not distinctly hear what he said, but I copied it down from the

dictation of Mr. Hardman and Mr. Green. (Here witness read the words imputed to Jones, and stated in the evidence of Messrs. Hardman and Green.) I heard the speech imperfectly. There was a small alteration in the position of the hustings while I was on the ground. They were removed about half a dozen yards. I saw Mr. Hunt arrive, and observed him address the crowd, but I could not hear what he said. I think there were 60 or 70,000 persons present. Such an assembly must have produced a very appalling effect on the inhabitants in general.

Cross-examined by Mr. Barrow.

Mr. Hardman, Mr. Ellis, and myself, were together for a part of the time, observing what was doing, and listening to what was said.

Q. Did you hear the words?

A. I did not hear the words which I wrote down. I am not hard of hearing. I do not know the person who addressed the crowd, nor can I say whether the speeches were delivered from the cart, or after the hustings were completed.

Cross-examined by Mr. Hunt.

I was a special constable on the 16th of August. I was not attending much to what was said. I wrote the words that had been quoted, from, I believe, the dictation of Mr. Hardman. I wrote them either while the person was speaking, or so immediately afterwards that they could not escape my memory. I heard them myself imperfectly, and cannot speak to their accuracy. I saw the different bodies march in. They crowded round the hustings. As the parties came to the field, they had a most imposing appearance. I believe the greater part of them left the field before two o'clock, but do not particularly recollect seeing any of them going away in crowds. I witnessed the dispersion, and certainly the people did not go away in the same manner as they had entered the field. I cannot describe the way in which they quitted it, because, as the field is very extensive, I could see but a small part of them. Nothing occurred to excite my particular attention between 1 and 2 o'clock. My attention was chiefly taken up by a person of the name of Ashworth, who was crushed in the crowd. He was crushed, as I conceive, by a crowd, not of horses, but of men. I did not see the crush, but I judged from the way in which he was hurt. He was crushed on the breast. I saw no cut, neither did I see any blood. Ashworth was not stripped in my presence. When I saw him he was alive. He did not speak

to me. I do not know whether he could speak or not. —He died soon afterwards. I did not see him when dead. According to my judgment, if any persons swore that he died by cuts, they did not swear correctly. I took down the inscriptions on the flags as fairly as I think it was possible to do. I neither added to, nor subtracted from, any of them. I did not pay more attention to the black flag than to the others. I saw several caps of liberty in front of the court.

Mr. Hunt.—Look at the hut not of the Nottinghamshire militia, is that a cap of liberty on it?

Witness.—I believe so.

Mr. Hunt.—There is a sword to protect this cap of liberty: were there any swords to protect those at the meeting?

Witness.—No. I saw sticks in the hands of the people: they did not use them. I was, however, knocked down in the hurry of dispersing the crowd. I was not knocked down by a brother constable, nor by a horse, but by a person whom I did not know, who struck me a violent blow.

W. HULTON, Esq. sworn,—Examined by Mr. Scarlett.

Q. You are, I believe, a magistrate?

A. I am a magistrate of the county of Lancaster, and was at Manchester on the 16th of August.

Q. Where did the magistrates first assemble?

A. The magistrates first assembled at the Star-inn, and then adjourned to Mr. Buxton's house, which overlooked St. Peter's area.

Q. At what time?

A. We assembled between 10 and 11 o'clock, and received information on oath, relative to the approach of large bodies of people.

Q. Did you observe the movements of the different parties?

A. As Chairman of the bench of magistrates, for the counties of Lancaster and Chester, much of my time was taken up in writing; but I frequently looked out of the window, and saw large bodies of men approach. The first came by Mosley-street towards St. Peter's square, with banners and music. They were apparently divided into sections, and had persons walking at the side, who, from time to time, seemed to give the word of command. This observation more particularly applied to the first body, for the others were too far off to be so minutely observed. All the bodies, however, proceeded regularly, and in a remarka-

ble manner, for they did not march straight to the hustings, but wheeled, when they received the word of command. The persons in command went up to the hustings and deposited their colours. They were regularly received with loud huzzas. The men appeared to me to be beautifully exact in coming up to the hustings, but I could not mark their motions afterwards. The division which advanced from Mosley-street, by St. Peter's square, marched with particular precision.

Q. Did the division which came with Mr. Hunt, march with equal precision?

A. I could not see what sort of order was kept by the division which came with Hunt.

Q. How many were there, do you suppose, in the first division?

A. I should think, having seen regiments reviewed, that the first division consisted of 4,000 or 5,000 men.

Q. Had they music and drums?

A. They had music, but I do not know whether they had drums.

Q. You saw the division which escorted Mr. Hunt?

A. I observed the division which escorted Mr. Hunt: he was in a carriage, in which I believe were also Johnson, Moorhouse, and Carlile: the extraordinary noise which was made on the approach of Hunt, induced me to walk to the window, and mark what was going forward: the hustings were moved in the course of the morning: this I knew, because it had been the desire of the magistrates to form a line of constables from the hustings to the house where the magistrates were; but I observed that a number of men had rushed in, locked their arms together, and surrounded the hustings.

Q. You saw all this, in the situation in which you were placed?

A. I could perceive from the window different people coming forward to address the meeting: from the situation in which I was placed, I had a view over almost the whole of St. Peter's area.

Q. What in your opinion was the number of persons met?

A. The number of persons assembled, was estimated at 50,000.

Q. Was the Meeting of such a description as to inspire terror?

A. The meeting did undoubtedly inspire terror in the minds of the inhabitants. I received depositions on oath,

to that effect, and I myself marked the extraordinary way in which the people approached.

Mr. Hunt.—I desire that those depositions may be produced.

The witness.—I have not got them.

Mr. Justice BAYLEY.—You must speak, then, as to your own opinion: you cannot state the opinions of others.

Witness continued.—Many gentlemen stated to me, that they were greatly alarmed; and, looking to all the circumstances, my opinion was that the town was in great danger. The population of Manchester and Salford, according to the *census* of 1805, was 100,000 souls. Manchester was a large place, and contained many shops and warehouses. The magistrates, in consequence of these proceedings, deemed it necessary to issue a warrant for the apprehension of the supposed leaders, which was given to Nadin, either in the presence of one of the chief constables of the town, or else it was handed to him by the constable. I cannot say whether the warrant was brought back after it had been made out. In giving the warrant to Nadin, he said he could not execute it without military aid.

Mr. Hunt objected to hearing what Mr. Nadin said.

Witness continued.—He refused to serve the warrant without military aid, and made use of this remarkable expression—

Mr. Justice BAYLEY intimated to the witness, that he could not state the observations of Nadin.

Witness continued.—The reason Nadin gave was perfectly satisfactory. I then wrote two letters, the one to the Commander of the Manchester Yeomanry, the other to Colonel L'Estrange, requiring them to come to the house where the magistrates were, which they accordingly did. A troop of the Manchester Yeomanry soon arrived from the Mosley-street end. The troop came at a quick pace, and formed in a line under the wall of the magistrate's house. The moment they appeared, the croud set up a tremendous shout. They groaned and hissed, and those men who had sticks shook them in the air. I saw those sticks lifted up in a menacing manner. I had a full view of the whole. I can positively swear that I saw the sticks flourished in this manner; and I even heard the expressions of some of the people who were near the military. Whilst the cavalry were forming, some of those persons who were nearest to them turned or advanced towards them. After the mob had set up this shout, the cavalry waved their swords. They then advanced. I

believe the Borough-reeve was with them when they formed for that purpose. From the appearance of the crowd, and from their general conduct, I conceive it was totally impossible for the constable to serve the warrant without the assistance of the military. I wrote at the same time to Colonel L'Estrange, and the commander of the Manchester Yeomanry, and I supposed the two forces would have arrived at the same moment on the ground; but I was informed, that, from the appearance of the crowd, it was thought that it would be dangerous for Col. L'Estrange to lead his men through a narrow pass, where there was only room for a single soldier at a time. He afterwards brought up two troops of the 15th Dragoons, and two of the Cheshire Yeomanry. When the Yeomanry and the constables approached the hustings, I saw stones and brick-bats flying in all directions. I saw what appeared to me to be a general resistance. In short, when Colonel L'Estrange arrived at the magistrate's house, with the 15th and Cheshire Yeomanry, I conceived the Manchester Yeomanry to be completely beaten. The crowd closed the moment the Yeomanry had entered; and when Col. L'Estrange arrived, and asked what he was to do, so convinced was I of their perilous situation, that I exclaimed "Good God, Sir, don't you see how they are attacking the Yeomanry?" My idea of their danger arose from my seeing sticks flourished in the air, as well as brick-bats thrown about. I believe the Yeomanry went in about four abreast, but their horses being raw, unused to the field, they appeared to me to be in a certain degree of confusion. They must penetrate through the crowd to get to the hustings, and as fast as they advanced, the crowd closed in around them. I saw distinctly from the window where I stood an immense body of people between the house and the Yeomanry, when they advanced to the hustings. In a very few minutes some of the parties were taken into custody. On my saying to Col. L'Estrange "Good God, Sir, don't you see they are attacking the Yeomanry?—disperse the crowd!" he advanced, and the dispersion of the crowd took place. I am not sure whether Col. L'Estrange advanced with the whole or only with a part of his force. Having spoken to him, I left the place. I do not know how many prisoners were brought in.

Cross-examined by Mr. Barrow.

There were four persons in the coach which brought Hunt. There were a man and woman on the dicky. The woman

waved something that looked like a white pocket-handkerchief.

Cross-examined by Mr. Hunt.

Q. Are you sure, Sir, you have stated the facts?

A. I declare that I have related every thing exactly as I saw it.

Q. Did you see me so distinctly as to know me?

A, I could not see distinctly, so as to know you on the hustings. I mean that I could not distinguish your person from that of another.

Q. How far do you think you were from the hustings.

A. The hustings were, I believe, about 300 or 400 yards from the window where I stood: but though I saw a map of the place, with the admeasurement, I cannot speak exactly to the fact.

Q. Then, I am to understand, that although you could not distinguish me from another, you could perceive that the people were linked arm in arm round the hustings?

A. I could not distinguish you from another, but I could perceive the persons locked together round the hustings, because they formed a complete *cordon,* and were bare-headed. I believe solemnly that those people near the hustings were locked arm in arm.

Q. You saw them linked?

A. I saw them linked, I believe, by the arms. They were as close together as ever they could be, and were distinguished from the rest of the crowd.

Q. You swear this, notwithstanding the distance?

A. Though the distance was so great as to prevent me distinguishing an individual on the elevated hustings, still I, and others, could see the persons beneath locked together.

Q. From your own knowledge, you swear this?

A. I swear this from my own knowledge and observation, and not from what I was told.

Mr. Hunt.—Can you, Sir, standing in that elevated situation, and looking round on the comparatively small number of persons in this court, see whether their arms are locked?

[Here a very considerable tumult of approbation was manifested, partly in the galleries, but principally in the lower part of the Court. His lordship strongly commented on such impropriety of conduct, and a man was immediately brought into the witness-box, who was accused of having joined loudly in it. His lordship, after a suitable admonition, committed him to the Castle gaol.] The trial then proceeded.

Mr. Hunt.—You will now look round to the benches, where that crowd is elevated, one above another, and say whether you can see what they are doing with their arms?

Witness.—Must I answer that, my Lord?

Mr. Justice BAYLEY.—You may declare whether the opportunity you had of viewing the meeting on the 16th of August was better than that which you have of seeing the people now present.

Witness.—I had a much better opportunity of seeing the persons at the meeting than I have of observing those in the Court.

Mr. Hunt.—Could you see the arms of the persons then?

Witness.—I could see them wedged, and, I believe, linked together.

Mr. Hunt.—Could you see any part of their arms?

A. I could distinctly see the outside men linked.

Q. Then, from the appearance of the others, you believe the rest were linked?

A.—I have no doubt of it. I described before what I will state again, that I saw a body of men ten deep, whom, on my oath, I believe to have been linked arm in arm, and many of whom I had an opportunity of ascertaining were so linked. There was a space within this circle, which admitted the hustings, and also some of the mob. I could distinguish the circle from those who were nearer the hustings, because the men who composed it were bare-headed. When you came upon the ground there was immense shouting.

Q. Did you understand it to be a shout of applause, or of defiance?

A. I conceived it to be applause, huzzaing.

Q. Were the people looking towards the carriage when they shouted?

A. I cannot say whether the people were looking towards the carriage when they manifested this applause.

Q. Did you see them turn and shout towards the constables?

A. I did not see the people turn towards the special constables, and applaud them; but many circumstances might have occurred while I was not at the window.

Q. I speak merely of what took place at a time when you stated that you were at the window. Did any portion of the people, when I was advancing, turn round, and give a shout of defiance to the constables?

A. Not that I know of. The shouts of applause that were bestowed on you had great influence with me in signing the warrant, because you brought with you a great accession of strength to the numbers already collected.

Q. You say, depositions were made "before me," in the singular number; and a warrant was issued "by me," in the singular number. Were you Commander-in-Chief of the Magistrates on that day?

A. I was President of the Lancashire and Cheshire Magistrates.

Q. Why did you use the singular number?

A. I did not know that I used the singular number. The warrant was signed by me and others.

Q. At what time was the first deposition made?

A. The deposition with respect to the alarm of the town was made about half-past 11 or 12 o'clock.

Q. At what time was the last?

A. The last deposition was made immediately after you ascended the hustings.

Q. By whom?

A. It was made by a person named Owen. He could not swear to your person; but it was made after the carriage had drawn up and the people had alighted.

Q. Have you the warrant now?

A. I have not got that warrant. I delivered it into the constable's hands; it is often the case for a constable to return the warrant when it has been served; but as there were magistrates senior to me in age and service, it was not returned to me.

Q. Can you recollect the terms of the warrant?

A. I do not know the exact terms of that warrant, as I have not seen it since.

Q. To whom was the warrant given for execution?

A. It was placed in the hands of Nadin, and directed him to arrest Hunt, Johnson, Knight, and Moorhouse.

Q. Was Owen's affidavit made before the warrant was granted?

A. Owen's affidavit was made before the warrant was granted, and after you had ascended the hustings. When the warrant was made out, I had a very strong idea that its service would be a task of great difficulty.

Q. Did you or your constables call to the people to make way for your approach to the hustings?

A. Neither I, nor any of my constables, to my knowledge, called on the people to make way for the constables to approach the hustings.

Q. Did your brother magistrates elect you to the chair on this occasion?

A. I was not elected chairman of the magistrates on this occasion because no one else would undertake the task; the situation was offered to no one else.

Q. Were you ever in the army ?

A. I was never in the army ; I was for a short time in the local militia.

Q. I believe you saw very little service until that day ?

A. I don't call it service.

Q. The letters to the two military commanders were sent at the same time you say ?

A. The letters to Col. L'Estrange and the Commander of the Manchester Yeomanry were sent at the same time. The reason why the two forces did not arrive at the same time was, because it was deemed prudent that, instead of Colonel L'Estrange proceeding through a very narrow street, he should advance to the area by a circuitous, but more open route.

Q. Cannot you recollect what were the terms of the warrant ?

A. I think the warrant granted on the oath of Owen set forth that you, Moorhouse, Johnson, and Knight, were proceeding through the town in a car.

Q. Then as I was in a barouche that was not correct.

Mr. Justice Bayley.—You cannot make any remark on the warrant, unless it be produced in Court.

Q. Did the cavalry in forming wave their swords?

A. The cavalry in forming waved their swords, and advanced to the hustings.

Q. Do you recollect the pace with which they advanced ?

A. If I were called on to state the particular pace in which they advanced, I would say it was something of a trot, or rather prancing ; the horse were fidgetting in consequence of the noise, and they were not in good order.

Q. Did not some of them gallop ?

A. I saw none of the cavalry galloping. The pace I wish to describe was between walking and trotting. I believe they advanced to the right of the constables ; but the line of constables had, I believe, been previously broken. The letters I sent to the officers were written in conjunction with all my brother magistrates. The space which the cavalry made in their approach was immediately filled up by the people.

Q. Was not the space blocked up with the constables.

A. I cannot say that it was filled up by the constables on the right, and the people on the left, endeavouring to escape. I only know the space was immediately filled up. I think decidedly that the space was filled up for the purpose of closing them and cutting them off.

Mr. Justice Bayley—Do you think it was done to pull them off their horses, and injure them.

Witness—I certainly do, my Lord. The impression made on my mind, at the time, was, that the people closed in order to injure the Yeomanry.

By Mr. Hunt—Will you swear that the constables were not mixed with the people?

A. There might be some constables mixed with the people; I could not see them.

Q. Was not the space filled by Nadin and his party?

A. I do not know that the closing was effected by the rushing in of Nadin and the constables. I believe the people wished to close on the cavalry.

Q. On your oath, sir, did not the people fall back at the sight of the military?

A. I will swear that many of the people did not fly when the first body of calvary rode amongst them. They fled when they saw the second. The moment Colonel L'Estrange advanced with his squadron, the general flight, according to my belief, took place.

Q. Were there not many children in the crowd?

A. I saw very few children in the crowd. I cannot undertake to swear that I saw one.

Q. There were many women?

A. There were a good many women, undoubtedly. I heard the women particularly noisy in hissing and hooting the cavalry when they first appeared. When the yeomanry advanced to the hustings, I saw bricks and stones flying.

Q. At the yeomanry?

A. I have not stated that they were levelled at the yeomanry, nor can I swear it. I wish to convey to the jury that those stones and bricks were thrown in defiance of the military. I saw them attacked, and, under that impression, I desired Colonel L'Estrange to advance. I said, "For God's sake, see how they're attacking the yeomanry—save them," or words to that effect. There was not time for me to consult my brother magistrates as to sending in more military, but they were with me at the window, and I should certainly conceive they heard me. I did not take the responsibility on myself. They, at that moment, were expressing fear themselves.

Q. What fears? Fears that the people would hurt the yeomanry, or the yeomanry destroy the people?

A. I have answered that. They saw the perilous situation in which the Yeomanry were placed. I do not recollect how many of the Magistrates were with me. Some of them

endeavoured to get into the crowd, but without effect. I and my brother magistrate, Mr. Tatton, tried to get into the crowd, but were repulsed. That was after the first body of cavalry had arrived, and proceeded with the constables towards the hustings. The attempt was made before the dispersion, and subsequent to the advance of the cavalry.

Q. Did you, or any of the other Magistrates, attempt to persuade the people to disperse?

A. Neither I nor any of my brother magistrates attempted to persuade the people to disperse.

Q. You saw some of the parties come in beautiful order?

A. I saw some of the parties march into the field in beautiful order.

Q. And this thing, which was so beautiful, created alarm in your tender heart?

A. That body, which marched so beautifully, did create great alarm in the town. Several of those persons had large sticks, I won't say shouldered like muskets, but they had them up to their shoulders. This applied principally to the party that entered from Mosley-street. The others I could not see.

Q. Why did you leave the window?

A. Because I had given my orders to Colonel L'Estrange.

Q. Was the carnage too horrible to look at?

A. I would rather not see any advance of the military.

Q. Then you gave orders for that which you had not the courage to witness?

A. I gave orders to Colonel L'Estrange to advance to the support of the Yeomanry: I never thought it would be necessary to disperse them violently, as I thought they would disperse on the apprehension of those named in the warrant; and I will add, that we had no previous intention whatever of dispersing the crowd. I witnessed none of the scenes that took place after. I went down stairs just as Mr. Hunt was brought in prisoner.

Q. Did you see any of the killed?

A. I did not see any of the killed.

Q. Nor wounded?

A. I believe I did see one man wounded, who was brought into Buxton's house, but I would rather not swear it.

Q. Are you sure you saw none of the wounded?

A. I saw none at the time, but I have some faint recollection of having seen a wounded person—a woman—carried in a chair, two or three hours after. I saw a woman brought

nto Buxton's house in a faint state, but not wounded, as I can recollect.

Q. On your oath will you say you did not see a woman wounded?

A. I did see one woman in a faint state, and advanced in pregnancy, and blood flowing from her bosom. I think that is the woman to whom I alluded.

Q. Do not you recollect another fainting and some water being required for her?

A. I do not recollect having had a woman in a fainting state pointed out to me, and a person asking for a little water for her, I was so busy looking at you, Sir (to Mr. Hunt.)

Q. Do you recollect having said to Col. L'Estrange, in Buxton's house, "There, Sir, is your prisoner; march him off to the New Bailey: I commit him to your care."

A. I do not believe I did. I do not recollect some person pointing out to me the danger which there would be in sending you (Hunt) among the yeomanry and constables ("who had been already attacking me," added Mr. Hunt.) I wished to send you in a coach; I did not think it safe to send you among the crowd. I had heard that Mr. Hunt had been struck, but I will not swear it.

By Mr. Scarlett.—I and another magistrate (Mr. Tatton) attempted to force our way into the crowd, but could not effect it. We had our horses ready saddled, to have ridden in if it were possible; and then we attempted it on foot, but could not succeed. I positively swear that we had had no previous intention of dispersing the crowd; or, if other magistrates had such intention, it was not known to me. Our first thought of dispersing the crowd was when we found the Yeomanry in danger. We found it absolutely impossible to execute the warrant by the aid of the police alone. We conceived at first that Mr. Hunt was not sufficiently identified with the multitude, till we had depositions to the active part he was taking in the meeting. Our reason for ordering the execution of the warrant was, that from the information we had received and our own observation, we considered the town in imminent danger from the crowd, and that the men named were the leaders. I think I saw one man brought into Buxton's house wounded.

By the Court.—I have acted as magistrate for nearly nine or ten years; I have acted as such since I came of age. I do not live at Manchester; I live at Hulton, twelve miles from it. There were ten magistrates present. It was a large meeting of magistrates; the magistrates of Cheshire and Lancashire were called on to act together on this occa-

sion. Nothing but a conviction of the existence of imminent danger could have induced me to order Col. L'Estrange to do what he did. I think that I ought to have been struck out of the commission if I had acted otherwise; I should not have discharged my duty if I had not done so. If the constables had not informed me that it would be impossible to execute the warrant, I should not have ordered the Manchester yeomanry to advance.

By the Court, at the request of Mr. Hunt.—"Had you heard that a warrant had, under similar circumstances, been peaceably executed at a large meeting in Smithfield?"

Mr. Hulton.—I certainly had, and this was one reason which induced me, when I had consented to sign the warrant, to order its execution at the meeting. And, my Lord, I beg to add, that I also wished the public should know that it was the leaders of these proceedings and not the people who were objectionable. I never heard till this moment that Mr. Hunt had, on the Saturday preceding the 16th, offered to surrender himself if there was a warrant against him. I had heard that Hunt had called and asked whether they had a warrant against him, but no more.

By Mr. Barrow.—I never gave it a thought whether the warrant was to operate only on those who were on the hustings; it was against Hunt and others.

By the Court.—I could judge by the motion of a large body, whether they had their arms locked, without actually seeing their arms.

Here the gentleman's examination closed; and Mr. Justice Bayley observing to the Jury that they must now be fatigued, he would have the Court adjourned to Monday.

FOURTH DAY.

The moment the galleries were opened they were crowded to excess. The whole of the seats in the lower part of the Court were filled before eight o'clock by females of the most respectable appearance.

At nine o'clock Mr. Justice Bayley entered the Court, and the different defendants having taken their places, the Counsel for the prosecution proceeded to examine the following witnesses:—

JOHN WALKER sworn.—Examined by Mr. Scarlett.

I am an attorney at Manchester, and have resided there all my life. I was at the meeting between eleven and twelve o'clock on the 16th of August. I saw several bodies of persons arriving there. I saw a cart as a hustings, from which a line of constables extended to Mr. Buxton's house. The leaders of the first division on coming up got into the cart, and ordered it to be removed a little. It was not removed far. Wylde was one of the persons who got into the cart. I did not know him then, but I saw him the next day at the New Bailey. He headed a party, and ordered them to place themselves three deep round the hustings. He had before ordered the cart to be removed. I do not know the other man. He was taller than Wylde, the people obeyed Wylde's orders. The division had a cap of liberty, with Hunt's name upon it, and said, as they came up, they were the Ashton division: Ashton is eight miles from Manchester. The next division that came up was, I think, the Stockport; they had a cap of liberty. Stockport is seven miles from Manchester. The Saddleworth, Lees, and Moseley Union came up with the Oldham party. Their leaders, as they arrived, ordered them how to place themselves. They had all flags. Wylde said, "Stand firm to your post—if you have a leader of ever such strong nerve it is impossible he can do if you cannot stand firm." This was addressed to the different columns or divisions ranged round the hustings. The taller man told them to link arm in arm round the hustings. He said, "Every man who knows his neighbour, and who is staunch to the cause, and by that means you will keep your enemies from the hustings." I took this down at the time. The persons assembled obeyed this order. I was close to one of the divisions; the people were probably fourteen or fifteen deep when these words were used. I fell back as they kept forming between me and the hustings. I could distinctly observe that they were linked arm in arm; I have no doubt of it. They were about fourteen deep. I cannot say that all were linked; I could see some of the back rows linked, and also some of the row immediately preceding them. After the party was so formed, Wylde gave an order to fall back six yards from the hustings; it was after the directions to link arm and arm; there was a little falling back, but not to the extent of six yards; I receded as they fell back; they still continued the linked position. The taller man said "the word of command has been given to fall back six yards; unless you obey you'll give your enemies an opportunity of lett-

ing in the cavalry amongst you." The same man soon after added, "I do not see any of our enemies amongst us; if I did I would tell them, and probably they might wish themselves in another place." After this was said there was a further falling back. As I was placed I could not see whether any opening was left to the hustings. I then left the ground. I was absent half an hour. I returned about one o'clock. Mr. Hunt and a number of others were then on the hustings. Johnson was there also. I was 50 yards distant. I heard Mr. Hunt desire the people not to call out silence, but to keep silence; and if their enemies would not keep order, to put them down and keep them down, or something to that effect. In my judgment, it was not possible to penetrate the crowd, near the hustings, without absolute force. They formed a solid body; I saw no aperture; this body was formed between the extremity of the line of constables and the hustings. There were upwards of fifty thousand persons present. The division I saw marched to the ground in a military manner, as I conceive, and as each division came up, they were cheered by those previously assembled and by the crowd. I have seen as many men assembled at Manchester Races as I have that day. The crowd consisted of the lower class of people. The crowd so assembled was calculated to overawe, to intimidate, and to create fear and alarm in the minds of the people of the town. This was the impression on my mind. I felt fear and alarm, as I thought it would create a disturbance. The distance of Oldham from Manchester is about eight miles. Mosley and Saddleworth are farther; the former is ten or twelve miles distant. Rochdale twelve miles.

Cross-examined by Mr. Hunt.

I have always been an attorney at Manchester. I was a special constable on the 16th of August. When I left the ground I went up Mosley-street, to Mr. Fielding's, for the purpose of getting a little refreshment. I was over-heated—there was a great crowd—it was very dusty. My person, not my spirits, was over-heated. Mr. Fielding is not a magistrate. While I was absent, I did not see any magistrate. In the course of the day I went to Mr. Buxton's house, and then saw one of the magistrates. I was not employed by them. I was not an amateur constable. I acted as a special constable, considering it to be my duty to protect the peace of the town as far as I could: I did not conceive myself under the orders of the magistrates: I was sworn before a magistrate, but I conceived that I ought to take my orders

from the chief constable. I did not go to the meeting as an amateur reporter. I made use of an old letter, on which I wrote the words that were uttered, for it struck me as being very extraordinary that they should be made use of on such an occasion. I do not attend meetings for the purpose of reporting speeches. I cannot say whether persons, who were nearer than I was to the hustings, and who were in the habit of reporting speeches, would take the words down more correctly than I did. I cannot answer for other people. I do not know a reporter of the name of Horton. I only saw one magistrate at Mr. Buxton's. Mr. Norris was the magistrate I saw: he is the stipendiary magistrate of Manchester. I communicated my fears to Mr. Norris. I merely said, "I am afraid there will be a disturbance." I had thought it necessary, before my going to the ground, to draw up a deposition of what I saw in the morning. It was probably 10 o'clock, or a little earlier, when I drew up the deposition. I don't know whether Sergeant Cross was, or was not, in Manchester at the time. The deposition was not shown to him. There was no conversation between me and Mr. Norris as to the relevancy of that affidavit to meet the question. I drew up the affidavit at the Police-office. I was induced to make this affidavit in consequence of several circumstances. In the first place, a knowledge that large parties had been training in different townships round Manchester, and information that those persons meant to march into the town with caps of liberty—revolutionary emblems, as I considered them—and that the meeting was calculated to overawe the town, to create disturbance, and to produce riot and confusion. Those were the reasons which induced me to make this affidavit, and the same feelings were expressed to me by several other gentlemen. There were 30 or 40 gentlemen in the police-office at the time, who all concurred with me in opinion. I cannot say that these gentlemen knew the facts, of their own knowledge; but I believe they heard them from others. A dozen of them joined with me in the affidavit. I might have got a greater number to join me if it were necessary, but several of them went away to the meeting. On recollection, I believe twenty or thirty persons joined me in the affidavit. We wished to prevent such large bodies from approaching the town. I thought it was wrong to allow such vast numbers of people to enter Manchester. The subject had been discussed the day before (Sunday) at the police-office. None of the magistrates were present, either on the Sunday or the Monday, at the police-office, that I saw. I was at the police-office at noon on the Sunday. At that time about half a-

dozen or a dozen of the persons who afterwards met there on Monday were present. The purport of the affidavit was not stated on the Sunday, though the general subject was then discussed. I then declined making any affidavit. Nobody urged or asked me to make an affidavit. Several gentlemen had drawn up statements, as to their fears of what was likely to occur the following day, which they thought ought to be submitted to the magistrates. Those gentlemen were respectable inhabitants of Manchester.

Mr. Hunt.—Let me have some of their names.

Mr. Justice Bayley.—I cannot allow that question, because it does not bear on the question of the legality of the meeting of the 16th in St. Peter's field.

Mr. Hunt.—If the witness be directed to withdraw, I will state my reason for asking the question.

The witness then withdrew.

Mr. Hunt.—I wish to know, whether certain persons who have been examined in this court, and have stated that depositions were made so late as half-past 11 o'clock, on which the magistrates acted, were present at the police-office when Mr. Walker swore to his deposition before 10 o'clock, and whether they joined in it.

Mr. Justice Bayley.—Then you cannot ask a general question. You must inquire whether A or B was there, and so on.

Examination continued.—I think I saw Mr. Green on the Sunday, but I had no conversation with him. I have no recollection of Mr. Green's discussing this subject: Mr. Green was at the police-office on the Monday morning, between 10 and 11. I don't recollect seeing Mr. Jonathan Andrew at the police-office on the Sunday. I think he was there on the Monday, but I am not sure. Mr. Philipps was not, I think, at the police-office on the Sunday. He was, I believe, on the Monday, but not when the depositions were drawn. There was no conversation on the subject of any affidavit. It was done wholly by myself. Mr. Entwisle was not at the police office either on the Sunday or Monday. I knew previously to the Sunday that training was going on, and that circumstance, connected with the intelligence that a great body of people were to march into Manchester in a particular manner, induced me to draw up my deposition. I was under considerable apprehension of danger on Monday morning before 10 o'clock. These apprehensions were excited both by what I knew of my own knowledge, and what I heard from others. The fact of training, which I learned from those who had actually seen

it (having been deputed for that purpose), was one great reason for my conduct. I had seen a considerable number of persons coming into the town, which created great alarm in my mind. I saw several bodies marching into the town on the Monday morning before I made the affidavit. Their appearance did not give me any idea as to whether they had been training or not. I live upwards of a mile from Manchester, on the Cheetham road. I left home to go to Manchester about nine o'clock: but before I left my house I saw numbers of people proceeding to Manchester. There was nothing so particular in the manner of those people as to create alarm. My fears were excited not only by what I saw, but what I heard. There was nothing striking in the appearance of those whom I saw at that hour, therefore my fears were chiefly excited by what I heard. The people I saw passing by my house before 9 o'clock did not march in regular order. They had no flags or banners, no revolutionary emblems. The deposition was not fairly copied at the time I left the police office to go to the ground. I left it to be copied, and to be brought to me, for the purpose of going before the magistrate and swearing it. There were alterations made in the draught. They were the suggestions of my own mind. The gentlemen to whom I have alluded did not sign the draft at the police-office. It was signed at Mr. Buxton's house. Before I drew up the draft, I did not see any thing in the town of Manchester to excite my alarm. My deposition was, in effect, "that I understood training had been carried on in different townships round Manchester; that great bodies of people meant to enter the town with flags, caps of liberty, and other revolutionary emblems; and that, if they did so, they would overawe the town, and it would be attended with mischievous consequences." My opinion was, that such an assemblage would be illegal. I did this in order that the Magistrates might be acquainted with my opinion, and that of others; leaving it to them to decide on what was to be done. I suggested nothing. I offered my opinion, because I thought the people ought to be stopped from coming into the town. There was no discussion at the police office, between me and my friends relative to my affidavit. When I swore it, I had not seen any bodies of men, with flags and banners, and caps of liberty, marching in. I was informed that they would so march in from different places where they were training. I do not recollect whether the persons who gave me my information stated that they had seen any of these revolutionary emblems but it was perfectly well understood that the people meant

to march into the town in that manner. I calculated at the time that there were 50,000 persons present. I believe I have seen as many at the Manchester races. I could not see a great way at each side of me, but a number of the persons immediately before me on the field had sticks. One man near me had a bludgeon, which appeared to be cut from a hedge. He held it over his shoulder till another man nodded to him, and he removed it. I do not know whether that bludgeon is here to-day; he did not hold it as a soldier would a musket; the man who pointed to it also carried a large bludgeon; neither of them made use of their bludgeons on my head, I was neither insulted or assaulted by any of them. I saw several divisions marching to the ground, but, from my position, I could not see whether they carried sticks or not. I saw the black flag, but I do not think I was present when it arrived. I heard part of what you said; it was to this effect—"Don't cry silence, but keep silence; that will produce order: and, if our enemies endeavour to prevent order, put them down, and keep them down." The military had not then arrived. I do not recollect whether you pointed to any particular person, when you used those expressions. I have no recollection of your pointing to the soldiers, as the enemies to which you alluded, and whom you wished to be put down and kept down.

Re-examined by Mr. Scarlett.

Mr. Hunt might probably have been ten minutes addressing the people. I did not hear all he said. I could not, from my position, see any soldiers in Dickenson-street. I had been apprized of the intended meeting on the 16th; and also of that which was to have been held on the 9th, but which had been postponed. I understood Mr. Hunt was in the neighbourhood, and was to preside. I had reason to conclude, before I went to the ground, that the information I had received was correct, and my ideas on the subject were in consequence confirmed, though I had drawn up the draft of an affidavit. I did not swear to it until I had been on the ground and seen several divisions arrive I recollect having seen a notice of a meeting to be held on the 9th August, posted up in Manchester. I saw placards for the meeting of the 9th which appeared to me to be illegal—it was that portion which related to the election of a representative, or legislatorial attorney for Manchester.

Mr. Scarlett here intimated that it purported to be for the election of a member.

Mr. Hunt said, with great warmth, that Mr. Scarlett was continually putting words into the mouths of the witnesses. In this instance the expression was "legislatorial attorney."

Mr. Justice Bayley.—It signifies very little; but, for the decency of the Court, I wish objections to be stated calmly.

Mr. Hunt.—I wish, my Lord, you would compel the gentleman to be decent.

Mr. Scarlett.—I am not conscious of having manifested any indecency during this trial. On the contrary, I have submitted to much which I consider indecent.

Mr. Justice Bayley.—I believe other people have submitted to it also; I know I have.

Mr. Scarlett.—I certainly feel for your Lordship's situation.

Mr. Justice Bayley.—The better way will be to have no angry discussion, I will go through the cause as equally as I can; and I will interfere with either side, when I see it necessary.

Examination continued.—The objectionable part, that which was illegal, in the placard of the 9th of August, was omitted in the advertisement for the meeting of the 16th. I do not act as secretary to the Pitt club in Manchester.

JOHN WILLIE, *sworn.—Examined by Mr. Serj. Hullock.*

I know Johnson, the defendant. I am acquainted with a house kept by a publican, of the name of Slater, at Manchester. I saw Johnson at Slater's house on the 6th of August; at that time placards had been put up, postponing the meeting advertised for the 9th, to the 16th; we were talking of the preparations that were making by the "big" men of Manchester, with respect to the approaching meeting, when Johnson said, "The great people think, because it is put off, that it is entirely done away with; but they are under a mistake; for we shall be ready on the 16th for any thing the soldiers can bring against us." There was a great deal of talk about the "Ludding," and Mr. Horsfall's being shot near Huddersfield. Johnson said, that when Horsfall was killed, there was a body of men combined together to go to London, and upset the House of Commons, or something of that sort; and he observed, the reason they did not go was, because they had not enough to support their families, in case they were sent to prison, or came to any harm; the conversation lasted for three quarters of an hour or an hour.

Cross-examined by Johnson.

I am a butcher, and never followed any other business; I

never was employed as a spy in Manchester. I know a man of the name of Henry Moore, I owe him something.

Mr. Justice Bayley.—What has that to do with the present inquiry?

Johnson.—I wish to show that Willie is a most abandoned character, and not to be believed on his oath.

Mr. Justice Bayley.—Then you must call witnesses to the fact.

Witness.—My Lord, I am ready to answer any question Mr. Johnson likes. Witness then proceeded with his evidence. I had a conversation with you at Slater's; you spoke to me there; you wanted afterwards to know what passed before the magistrates, but I refused to state it, except in a private room; I did not state, in my deposition, that you meant to get into the barrack, and take away the cannon.

Cross examined by Mr. Hunt.

I and Johnson were taking a glass together; I was not drunk; I thought it a serious business, which Johnson ought to keep to himself. I said, after he was gone, if Nadin was there, he would have taken him up; I believed the statement, for Johnson declared it was a fact; I did not know Johnson at the time, and therefore asked the landlord who he was; he told me he was Johnson the brush-maker, and great reformer. I thought many persons had been taken up for a deal less than Johnson said; I took no measure for having him apprehended, for I never troubled my head "with such like;" Slater was in company the greater part of the time, but some of the conversation was addressed to me personally, when Slater left the room. The part directed to me alone was that in which Johnson, speaking of the meeting of the 16th, said, "we shall be ready prepared for any thing the soldiers can bring against us." I and Slater have talked over this matter together, but not much. Slater is here. Slater did not tell me he did not recollect that part of the conversation relating to the 16th of August. It was not in consequence of any thing Slater said to me, since I came here, that I recollected he was out of the way when that part of the conversation took place; Slater did not say any thing about taking up Johnson; I did not expostulate with Slater as to the impropriety of allowing such words to be spoken in his house. We did not think much about it then, and wanted to hear what he had got to say; we asked him no questions. I did not inform Nadin of the circumstance; I did not take any measures to have Johnson apprehended; I

and the landlord had some little conversation about the matter after Johnson went away; I believe I did not communicate to the landlord the important statement which Johnson made to me during his absence. Johnson told me and Slater what I have stated, although I was a perfect stranger to him. I have had some conversation with Slater on the subject, but I cannot recollect when first I mentioned the matter to him. I believe it was before I made my deposition. I said Nadin would have taken Johnson into custody, had he been present, not for any particular part of this conversation, but for the whole of it put together. I have seen Slater here, but we have had no conversation on the subject. We are both subpœnaed to speak to this conversation, but we have not talked the business over.

Re-examined by Mr. Serjeant Hullock.

Except Slater's servant-woman, no person was present at the conversation but myself, Johnson, and Slater. Johnson introduced the subject of the soldiers, by referring to the preparations of artillery, &c., that were making at the Barracks; at which he laughed. After I had been at the magistrate's, Johnson saw me passing his door, and sent his man after me. I went to his shop, where there were two or three gentlemen. Johnson said, "So, you have been with the magistrates?" I answered, "They sent for me." "And were you," asked he, "fool enough to go to them? They had no authority to send for you." I told him I did not inquire whether they had or had not authority. But, as they had nothing against me of which I was afraid, I had no objection to go. He then asked me to tell him candidly what passed before the magistrates. I said, "if he would go into a private room, in the York Inn opposite, I would tell him; but I would not tell him in his shop." Johnson said, he was not afraid of having what passed publicly known. I then bid him good night, for I felt that he treated me ill, in bringing me into his shop amongst a parcel of people. I thought they wanted to get something out of me; they were not workmen, but spies, "attornies, and such like."

JOSEPH SLATER, Sworn—examined by Mr. Sergeant Cross.

In August last I kept a public-house at Manchester. On the 6th of that month, I recollect Johnson and the last witness being at my house. I began a conversation with Johnson by saying, that I understood he and Nicholas Whitworth

were to be returned members of parliament for Manchester. He said, "It was all nonsense; for, even if they were elected, they would not be allowed to sit in London." I then went out, leaving Willie and Johnson together. On my return I found Willie speaking of the attack on Mr. Cartwright's mill. I said, that was the time when Mr. Horsefall was shot. Johnson observed, "Do you know, Mr. Slater, there was a set of men at that time who intended to go armed to London, to disperse the House of Commons?" I ridiculed the idea that such a set of raggamuffins could overturn the House of Commons. He said, "He knew it to be a fact; and that, if the subscriptions had been large enough to support their families while they were away, or in case they failed, they would have gone." I again ridiculed the idea, and Johnson said, "O! but recollect, when Bellingham shot Mr. Perceval, what confusion there was; Lord Castlereagh was scrambling to get out at one door, and Mr. Canning at another; and when Bellingham was taken, they were near tearing him to pieces. They all strove to get hold of him." He then observed, "If one man could frighten them, he was sure it could be done." There was some conversation about the meeting of the 16th. On last Saturday week Johnson came to my house. He knew I was subpœnaed; and he said to me, "You know Mr. Slater, I said I heard it for a fact." I answered, "No; you declared that you knew it was a fact."

Cross-examined by Mr. Hunt.

I keep the Bay Horse, in Manchester. I asked Johnson whether there would be a meeting on the 16th, and he said there would. I cannot recollect any thing more being said on that point. I was not in the room at the time. The conversation was chiefly about Cartwright's mill. I ridiculed and laughed at the idea thrown out by Johnson. Do not know whether Willie joined in the laugh. Willie did not say that he ought to be hanged for using such expressions. Soon after Johnson went away, Willie said, "It was well for that gentleman that Nadin was not present, for, were he to hear him speak in that manner, he would have him." Willie and I have seen each other frequently since we came here; but he never told me what he had to prove. I knew he was coming here to prove something that Johnson had said about the 16th August. I was aware of the fact, because I knew he was subpœned. Willie had told me he was coming for that purpose, but he did not say exactly what he was to prove; neither did I tell him what I was going to prove,

I am sure Willie never to'd me what he was to prove relative to the 16th August, neither on the day when the conversation took place, nor at any other time since. I did not ask him whether any thing particular had occurred while I was out of the room. I thought it was a very foolish and wicked story which Johnson told; I thought it wicked to relate such a story, and wicked also as it referred to the persons who were said to be connected with the business. Johnson declared that he knew it to be a fact. I have heard him say many foolish things; but when he spoke of persons coming to town to disperse the House of Commons, he was serious. I related the story in the evening, without thinking any thing of it. I did not think it necessary to give information about it. I know it is the duty of a publican, if he hear seditious conversation in his house, to inform the proper authority. It appears that I did not do my duty on that occasion. If I were to relate every foolish conversation that passes in a public-house, I should do nothing else.

Cross-examined by Johnson.

I know the reason why Johnson came to my house. I had a good breed of pigs, and he wanted one of them. I met him at his door; he asked how the sow was getting on; I took him by the arm, and we went to my house together. I talked him on the report that he and Nicholas Whitworth were to be returned to parliament, and he said it was false, that he had no such intention or something to that effect. When I saw Johnson on Saturday week, he observed, that if I said nothing more than what he utterd on the 6th of August, I should be a good witness for him. I did not see Willie until he met him at my house. I never heard Johnson say in my life that he would overturn the House of Commons, or that he approved of such a proceeding. Mr. Horsefall was shot in the year 1812. I don't recollect Johnson expressing his horror at the murder of Mr. Horsefall, or at the burning of Duncoft's mill, but there was much conversation, and Johnson might have expressed such a sentiment though I don't recollect it. I have been once or twice to Mr. Norris and Mr. Milne for my deposition, but I did not get it. Mr. Milne did not promise to give me a copy of my deposition.

Re-examined by Mr. Sergeant Cross.

I wished to see my deposition, because the circumstances to which it related had taken place so many months since. Johnson related the circumstances in question as facts, as

things which he knew would have taken place but for the reasons he stated. I am not sure that Johnson said, when I spoke of his being returned to Parliament, that it was nonsense, and there would be no election. I have no reason to suppose that he did.

JOHN SHAWCROSS—sworn.

A newspaper *(The Manchester Observer)* being put into his hand—deposed, that he purchased it in July last, at the shop of Mr. Wroe, in Manchester. It is a paper that used to circulate very much in Manchester.

Cross-examined by Mr. Hunt.

I saw placards posted up, calling a meeting on the 9th of August. I also saw placards declaring the intended meeting to be illegal. I am a clerk in the Police-office. It was my peculiar duty to look after these placards. Some of those, calling a meeting on the 9th, were taken down. I believe, in consequence of the notice issued by the magistrates, the meeting advertised for the 9th was abandoned. I afterwards saw placards announcing the meeting for the 16th of August. I do not know the express words of that placard. I believe some of them were taken down. I have no knowledge of the opinion of the magistrates, as to that part of the placard, announcing a meeting for the 9th of August, which they considered illegal. I was in the habit, almost weekly, at that time, of buying the *Manchester Observer*. I did not attend the meeting of the 16th of August. I believe a number of sticks, staves, and pikes, have been brought here. There are also some flags, banners, and caps of liberty. They are in the custody of Mr. Nadin.

M. FITZPATRICK sworn.—Examined by Mr. Scarlett.

I attended a meeting held at Smithfield on July 21st. Mr. Hunt was the chairman of that meeting. Certain resolutions were then passed in the presence of Mr. Hunt. Certain papers being handed to witness, he said, I recollect obtaining these papers from Mr. Hunt at the time, as the resolutions. When I received them, they were on one long slip, which had been cut for the convenience of printing. I was at the time a reporter on the *New Times* newspaper. One of my colleagues was so soused in the mire that he could afford me little assistance, and it unfortunately fell to my lot to get to the hustings. Hearing people crying out against *The Times* and the *New Times*, I did not for some time like to advance. I endured the pressure of the crowd

for half an hour. I then endeavoured to get a place on the waggon. I spoke to the persons who were in attendance—a sort of beadles with white staves, for the purpose, I suppose, of keeping the peace; but they would not let me up. I then spoke to Mr. Hunt, who said he was glad to see me, for he knew I would write a fair report, and he gave me these papers. I heard the resolutions read. There did not appear to be a decided arrangement between the Chairman and those about him, as to the mode in which they should be put. They were first read as they followed in the slip. Mr. Hunt first proposed that they should be put separately, as was the usual course; but, though read separately, they were put in the mass. They were greatly applauded, particularly the 8th and 9th. The most violent were the most applauded.

Cross examined by Mr. Hunt.

I had considerable difficulty in getting to the hustings; the people were crowded very thick indeed round them. I have frequently found it to be the case, where you have presided, to my great inconvenience. I felt no personal alarm, but I felt that species of alarm for my wearing apparel which made me put on my worst coat. If the attendance of constables were indicative of alarm, certainly it might be inferred that some apprehension existed in the minds of those who sent them there. I observed no riot or violence; the meeting was exceedingly large, but I have seen larger. I have been at so many meetings where you have presided, that I cannot, at the moment, name one which I conceive to have been larger. I never, within my own personal observation, saw any tumult or violence at any of the meetings when you had the honour to preside. I cannot make a calculation of the number of persons who attended the meeting of the 21st of July. I recollect Mr. Harrison being arrested on the hustings at Smithfield. That circumstance excited no disturbance. I believe that those who were 40 or 50 feet from the waggon knew nothing about the transaction, it went off so quietly. Harrison, I rather think, had, at the time, addressed the meeting. I cannot decidedly say whether Harrison had or had not, addressed the meeting when he was taken, unless I saw the newspaper, as I did not report the whole of the proceedings. I think you introduced Harrison as "the Rev. Mr. Harrison," or "Parson Harrison," of some place in the country, in order to induce the people to listen to him. You said to the people, as far as my recollection goes, before the arrest took place, "Here is

Brown, or Wontner, the marshalman, going to take Parson Harrison; will you let him go?" and then, with a good-humoured shrug of the shoulders, you turned to the Parson, and said, "You had better go quietly." You then said, "If they come to take me, will you let me go?" The people cried, "No, no." You, however, said, "Yes, but I would go; if I am wanted, here I am." And then, with another good-humoured shrug, you asked one of the Marshalmen, whether he had any thing to say to you? He answered, he had not. Harrison asked your advice, and you told him to go away quietly, which he did. The business of the meeting then went on peaceably. The Marshalmen, attended by a few constables, made the caption, without the aid of any military force. I believe, when you gave me the resolutions, you said you were particularly desirous of accommodating me, as I came from *The New Times*. I did not imagine, when I received them, that I should ever be called on to produce them in a court of justice. I believe I asked you for a copy of them. At the time that you handed me the copy of them, I rather think that a part of the resolutions had been read, and an individual was occupied in reading the remainder, you having previously stated that your lungs were not in as good order as usual, and for that reason you would decline reading them. They were read, in the first instance, in continuity; and a question arose whether they should be passed singly or altogether. I believe, in consequence of your desire to get the business over, it was agreed that they should be put altogether. None of them had passed, I imagine, at the time I received the copy from you. I have the pleasure of knowing Mr. Horton; he is on the same establishment with me; I have heard that he is a relation of Dr. Stoddart, but he himself has told me that he is not. I never had any conversation with him about the scenes he witnessed at Manchester. Though we are on the same concern, I had not interchanged five words with him till I met him in York, this day week. I never observed any tumult or riot at any of the meetings at which you were present.

Re-examined by Mr. Scarlett,

I have often attended meetings at which Mr. Hunt presided, but I generally left them before they terminated. There might be riot after I went away. When crowds passed *The New Times* office, after those meetings, I have seen the office-windows shut. I believe the first meeting at which I saw Mr. Hunt preside was that which was held at

Spa-fields. I think that it was impossible that the resolutions could have been heard by all the persons present. Taking the meeting at from 15 to 20,000 persons, they could not have been heard by more than 1-10th. It depended in a great measure on the way in which the wind blew. The wind was blowing against Mr. Hunt.

The resolutions of the Smithfield meeting, of the 21st of July, 1819, were then put in and read.

Mr. Hunt contended that this was not the best evidence that could be given that these were the resolutions passed at the meeting. The original resolutions should be produced, and a notice served to produce them. He did not publish the resolutions. They were passed at a deliberative assembly.

Mr. Justice Bayley asked, if what was read corresponded with the copy that was published?

Witness.—Yes.

Mr. Justice Bayley said he had taken a note of Mr. Hunt's objection.

The case for the prosecution here ended.

DEFENCE.

Mr. Barrow, on the part of Moorhouse and Jones, submitted that there was not any evidence upon which to send the case of his clients to the Jury.

He was interrupted by Mr. Justice Bayley. His Lordship observed, that the Learned Counsel had better confine himself to the fourth and fifth counts of the indictment. Those counts charged the defendants with assembling in an unlawful, formidable, and menacing manner. It would be for the Jury to consider whether the meeting was an unlawful one, and if so, whether the defendants, Moorhouse and Jones, had taken a part in the proceedings as innocent persons or as partizans. He must observe, that there was not that absence of evidence which would warrant his directing the Jury to acquit the two defendants. They might be found guilty of some of the acts charged, without the criminal intention.

Mr. BARROW bowed to his Lordship's opinion. He then proceeded to address the Jury on the part of the before-mentioned defendants. First then, he begged to state, that he held in his hand a copy of *The Old Times*, in which Mr. Scarlett's opening speech appeared, and thus much he could say, that whoever was the Reporter, it was given nearly word for word.

Mr. Justice BAYLEY—Have the proceedings, then, been published? I am very sorry for it.—Mr. HUNT—Yes, my Lord, the accounts are in town from London.—Mr. Justice BAYLEY—It is very wrong. I am sure the Gentlemen of the Jury have not seen them.

The Learned Counsel proceeded to read the preliminary observations in opening the case, in all of which he fully concurred, but in none more than that in which his Learned Friend had so highly and so justly eulogised the Gentlemen of the county of York. Had his clients had an opportunity of choosing the county in which they would be tried, they would have selected that of York; so far, therefore, both parties were satisfied. He begged now to call back the minds of the Jury to the fourth and fifth counts of the indictment. The fourth count stated, that the defendants had maliciously, unlawfully, and seditiously conspired, with other persons unknown, to cause discontent and disaffection in the minds of his Majesty's subjects, and to excite hatred and contempt against his Majesty's Government and the Constitution of the Realm; and the fifth charged them with having assembled for the above purposes. The seventh count also charged them with having riotously and routously assembled, to the terror and alarm of the inhabitants. To this point the Jury would have to direct their patient attention; and no doubt they would, with the most unbiassed judgments, decide whether his clients were guilty of all or any of the charges against them. Let them look to the evidence, and say whether it was possible that any part of the evidence adduced went to affect either Moorhouse or Jones. His Learned Friend on the other side had stated, on opening the case, that this was an indictment against the *ringleaders* of the meeting. Now, where was it shewn that either of his clients had acted in that capacity? First, with respect to Moorhouse, they would observe where and when he had been introduced into the business, and they would observe what had been his conduct from that period up to the 16th August, when all the defendants were apprehended. The first evidence respecting Moorhouse was, that he had taken a ride to Stockport to meet Mr. Hunt, who was invited to preside

at a meeting at Manchester, for the purpose of petitioning the Crown for a redress of certain grievances. He went as far as Bullock Smithy, and not finding Mr. Hunt, he returned. He was next found in company with Mr. Hunt, whom he had invited to take a bed at his house. On the ninth of August, Mr. Hunt, in his own carriage, accompanied by Sir C. Wolseley, and followed by Johnson and his wife, who was then in a state of pregnancy, proceeded to Manchester. The parties calling the meeting having found that there was something objectionable in the placard by which it was announced, acquiesced in the objection of the magistrates, and the meeting was not held. From this it was clear, that if the object of Moorhouse had been to attend an illegal meeting, he would not have acted as he did. On the contrary, he would have persevered; instead of doing which he had at once given up all idea of attending the meeting of the 9th, when declared illegal. Mr. Moorhouse was a married man, the father of eleven children, and his wife was, at the period in question, in a state of pregnancy. But he took his wife with him to Manchester, on the 16th August. He would put it to the Jury, as men, as husbands, as fathers, whether any man would have done this whose object in going to a meeting was to cause a riot, or to excite terror or dismay in the minds of the inhabitants? The good sense of the Jury would at once shew, that it was impossible to suppose any man so base as to be capable of acting in such a manner. Whatever was his intention, then, it certainly was not that of creating riot and confusion. From the 9th to the 16th of August, there was no communication or connexion between Moorhouse and Mr. Hunt, or any other of the present defendants. Was it, then, a crime to have been seen at this meeting? If so, then one half of Manchester was guilty; and if any man should be found wicked enough to stir this question again, he had only, on learning the names of any persons who had attended, to bring forward the evidence produced on this trial in order to convict as many as he pleased. It appeared from the evidence that Moorhouse was not seen in connexion with any of the other defendants from the 9th to the 16th August. On that day, according to the evidence of Mr. Entwistle, he was seen heading the Stockport party through Piccadilly, into Manchester. Now, the fact was this, and so it would be made to appear in evidence, that Mr. Johnson was on that day plying his coach in the usual manner. Here the learned Counsel proceeded to detail the movements of defendants as they were afterwards detailed in the paper of Moorhouse himself. Was he

seen upon the hustings? No; it was certainly hinted at, but he should prove that witness to have been mistaken. He was not on the hustings; he could not have committed the riot of which he stood charged; for if in the crowd, and any man might have been there, he only staid about two minutes. Was it likely in so short a period he could have been guilty of the riot and conspiracy laid to his charge? The only division he was said to have been connected with was the Stockport; he happened to be in front of it, but not, as had been represented, in a formidable manner, and not with a flag, nor with violent language. What connexion had he then with the White Moss drilling or with any of the other divisions on that day? As to poor Jones, there was nothing to inculpate him in such a charge. He was seen by Mr. Horton, the reporter, who heard uncertain expressions, but they were only exhortations to peace and good order. It was certainly alleged that he recommended them to lock arms to prevent the hustings being broken down; yet it was imputed to him that he meant to create a riot and confusion. The poor man was only employed to build up the hustings; all he had to do was this; he was no member of any committee, but proud of his hustings-building situation, he became an orator. The reason was this: he was only to have 25*s.* for putting up the boards, which were borrowed—he was therefore interested in having the people kept back from shaking them to pieces, whereby he would have lost all. Indeed it was God's mercy he got them back, for a short time before, the populace carried away the boards erected in a similar manner on the hustings, and the architect lost them all, owing to the want of Jones's foresight in recommending them to lock arms, which ultimately saved his borrowed boards. The learned Gentleman then contended that the definition of an illegal meeting given by the other side was wrong; who was to say numerically where order ceased and disorder began? who was to say the parties that ought to attend and those who ought not? Mr. Moorhouse was transported with a desire to see Orator Hunt deliver his elocution and his law, in both of which he was, like Demosthenes of old, to guarantee the success of the cause of liberty. Poor Jones hearing the cheering for the orators before the great Demosthenes came, determined to have one for himself, and so he mounted and made his speech, and got cheered in his turn. The poor man has, however, now got enough of it—he lost his 25*s.* and will, he had no doubt, in future, act upon the good old maxim, "let no cobler go beyond his last." Here the Learned Counsel

read the following narrative from Mr. Moorhouse's account of the transaction:—

"*My Lords and Gentlemen of the Jury,*

"I am charged with combining, conspiring, confederating and agreeing to overthrow the Government of this country by force and threats.—Now Gentlemen, I am persuaded if there be any such combining, conspiring, confederating and agreeing, it will be found to be amongst my prosecutors: it will be them that will be found guilty of that most abominable crime conspiring to deprive me of my liberty, and for what I know not. Now, Gentlemen, you will be surprised when I inform you that five of the persons with whom I am charged with having conspired, &c. five of them, viz. Smith, Wylde, Jones, Bamford, and Healy, I never in my life was in company with, until the day on which we were all brought into Court together, which I believe was on the 27th of August last: I shall therefore, I think, be entitled to your acquittal of conspiring along with them; with respect to Mr. Knight, Mr. Johnson, and Mr. Saxton, I never exchanged half a dozen words with any one of them in the whole course of my life, previous to our confinement in the New Bailey. Now, Gentlemen, with respect to Mr. Hunt, it is necessary in this stage of the business to inform you I am what is commonly called a coach proprietor, that is, I employ coaches to travel between the towns of Stockport and Manchester; and it sometimes happens, though not often, that a passenger may want a bed, who, from a variety of circumstances may prefer a private house to a public one. I was applied to by some one to inform them where a bed could be had; to which I replied, "I have a good bed, provided the room will be approved of, it being small. The room was seen and approved of, and on the evening of the 8th of August, Mr. Hunt slept at my house, and left on the 9th for Manchester, in company with Sir Charles Wolseley. From that day until the 16th of August, I never either saw or heard any thing from Mr. Hunt. On the 16th, in the morning, a little after ten o'clock, I left Stockport with one of my coaches, and near the second mile-stone I passed the procession from Stockport, consisting of near one thousand men and boys, and near one hundred women and young girls, several of them being the wives and daughters of the men. Their conduct was perfectly peaceable. At the midway, while watering my horses, the procession passed again, and we did not overtake them until we got into Long Sight, a little on the Manchester side of which we left them, and got into Man-

chester ten minutes before them. While the procession was passing the White Bear, Piccadilly, it was proposed by some of the passengers to take the coach on the ground for their accommodation; to which I consented, provided they would agree to pay me one shilling each for the accommodation of standing on the roof. But this was done at the suggestion of my son, who said, otherwise there would be so many crowding on, that the roof would be broken in, and I should have 10l. damage done to the coach, though I might not make one by it; upon this it was given up. I went to the ground a little after 12 o'clock, where I saw an immense concourse of people assembled; after I had been there some time in conversation with various persons, who all appeared to be delighted with the orderly manner in which the various processions came upon the ground, with joy beaming on every countenance, and several I heard declare it the most gratifying sight they ever beheld in the whole course of their lives. Some one pointed out the constables, formed in two lines, with a space betwixt them, from the hustings to the house, where I was informed the Magistrates were sitting; and credit was given to the Magistrates for the judicious plan they had adopted to bring before them any one who might be guilty of disturbing the peace of the meeting. This was actually the opinion I had formed of the purpose for which the constables were thus placed. After listening for some time to the music, which was playing a variety of national airs, and, amongst the rest, "God save the King," I went into Deansgate to get a little refreshment, where I had not been long before Mr. Hunt was announced; and upon going into the street, near the Dog Tavern, on the carriage passing where I stood, Mr. Hunt perceived me in the crowd; he called out to me, saying, "Moorhouse, will you get into the carriage? we will make room for you;" in an instant the door was opened; I was seized by the arm by John Collier, and instantly shoved into the carriage, but before I had time to take away my hand, the door was hastily shut, and three of my fingers were caught and most severely trapped, so as to give me very great pain, and immediately on the carriage arriving at the hustings I got out, and went to the public-house to get some brandy to allay the pain; I remained in the public-house until the dispersion had in a great measure taken place, and on going down stairs to leave the house, I found Mr. Twemlow at the front door, for the purpose, as I supposed, of preventing any one from going out that way; he directed me to the back door, and I left the house in search of my wife, who was at that time six

months advanced in her pregnancy. I was near two hours before I met with her, during which I was several times informed she was thrown in a cellar-hole, and crushed to death; but, thank God, it was not so; we met at the Flying Horse, and while drinking a glass of wine and water, and returning God thanks for delivering her from the perilous situation which she was in, (being betwixt the constables and the carriage at the time the cavalry surrounded the hustings), two police officers, Platt and another, came into the room, and told me I was their prisoner. I demanded their authority; they produced their staves. I observed, that is no authority; you must produce a warrant, and I will go with you; to which Platt replied, if I did not choose to go without a warrant, he would fetch some soldiers, who would not be trifled with; I then rose up and went along with them to prison. This took place between four and five o'clock in the afternoon of Monday. I remained in the New Bailey from that day until the 27th August, on which day I was admitted to bail."

The Learned Counsel concluded by entreating the Jury not to send such a man before the world convicted of a conspiracy.

MR. SAXTON'S DEFENCE.

Mr. Holt said, that little devolved upon him to say in behalf of his client, Saxton, who was only late yesterday tacked in evidence to this prosecution. Their object was to comprehend in the charge all who were included in the indictment; but he hoped, if the Jury would hear him, he should disconnect Saxton from the other defendants, in a fair and open manner, to have a verdict of acquittal. The temper of the times, the prejudices which were unfortunately excited by extraneous events against the defendants—all these were circumstances calculated to excite prejudice against them.

Mr. Justice Bayley—Here at least there can be no prejudice or passion brought to bear against them, beyond what the fair import of the evidence is calculated to bear.

Mr. Holt expressed his perfect assurance, that in this Court no such prejudice could be excited against them. Indeed the Court of King's Bench had shewn this in relaxing from the ordinary rule, and removing the trial to this place. The indictment stated three charges. The first was the heavy and solemn charge of traitorously and unlawfully conspiring, by collecting an immense assemblage of people, to create a change in the Government by force. The next charge was, that of a seditious assembly; laying aside all conspiracy the charge then resolved itself into that. The third states a

charge of riot, tumult, and disorder. Probably they would be told to separate the individuals as they were affected by the indictment, and bring its force to bear upon some of them, and not against others. He then proceeded to suggest to the Jury such arguments as, in his opinion, drew a distinction between Saxton and the other defendants; he, according to the evidence, was not known to a single other individual charged with this conspiracy; with them he was never found to act even in the least subordinate part. The prosecutors commenced their allegation of conspiracy with the Smithfield meeting, and they then went on to the 8th of August at Bullock Smithey, with neither of which places had Saxton the smallest connexion; so that from the 1st of July to the 8th of August, in any of these acts the name of Saxton did not appear. Neither with the training at White Moss did he appear to have the smallest identity. He begged also to impress upon them, that Saxton was not seen in any of the marching arrays, as it was called, which characterised the meeting of the 16th of August. He was then about to refer to Mr. Scarlett's speech in the House of Commons, in which that Learned Gentleman expressed the great difficulty he had in making up his mind upon the question of the legality or illegality of the Manchester meeting, when

Mr. Justice Bayley said that a speech made in the House of Commons could not be introduced into that Court. The facts might not have been known in the place alluded to, and it is upon the facts disclosed here alone that any argument could be founded.

Mr. Hunt said that every thing that came out in Court had been already before the House of Commons.

Mr. Holt resumed, and said that he merely referred to the circumstance, to shew the doubt that arose in the most acute legal minds upon the Manchester question. With reference to the law of the case, as laid down in Mr. Scarlett's opening speech for the prosecution; it was only since 1815 that restrictions had been put upon public meetings, which interdicted them from assembling during the sitting of Parliament, or meeting of the Courts of Westminster Hall within one mile of such places. If the Learned Gentleman's law were good, why not prevent the Spafields meeting, and others which had been repeatedly held up to the year 1820? This was not a cause of Athens, or of Sparta; it was one of Manchester, a cotton spinning, not a classical district; and the question was, ought not they to be permitted to do what had been repeatedly done under the eye of the law in London? *A priori*, there was nothing to constitute this meeting

illegal. Even if it were, Saxton had no participation in the crime; for he was present for a lawful purpose, namely, to take notes for a newspaper establishment. If not then guilty of the charge of conspiracy, was he of the second? If he was, the meeting must be first proved to be a seditious one, and he must be found participating in their seditious acts. In looking at this point, they must overlook the late restricting laws, and consider how the law stood in August, 1819; there was then no law to limit such meetings. Would any man deny that the people of Norfolk might not have then met on the subject of the Corn Laws, which they might suppose to affect their staple article of growth? The people of Manchester might feel the same interest in the cause of Reform, and might equally meet in whatever numbers wished well to that question. It was said they met in marching array—was there any law to prevent men entering a town in a breadth, and with measured military step? It ought rather to be called civil array, for there was just the same reason to give it the one name as the other. Was there any law to prevent men entering Manchester in order instead of disorder? They had indeed been told that the people were armed with sticks, which were carried like muskets, but what proof had they that they were not the ordinary walking sticks which men usually carry in the streets? If they were otherwise, why not produce even one of the deadly weapons, for they knew that many of them and the flags were taken in triumph on the field? Why not call Mr. Nadin, if he could prove any such fact? Well, they had music, but playing what? None but tunes to which every loyal heart must cordially respond. Neither arms, pikes, nor staves were among them; but some few, who came from a distance, had common walking sticks. Again, upon the banners, with the single exception of that with the inscription of "Equal Representation, or Death," where was there any thing seditious; and even it was overstrained reasoning, that could make sedition out of that? There was no sedition in recommending Annual Parliaments, although he confessed there was a very unwise recommendation, yet sedition was quite different. The same proposition had been long ago made by the former Duke of Richmond; so that this was not a die for their own mint, but an old doctrine kept up in continuity. Mr. Jeremy Bentham also had repeatedly written the same doctrine in books he had often addressed to the people. He then took a review of the history of Parliaments from ancient times, to shew the various terms of their continuance,

and dwelt upon the practice urged by many, that they were once held annually. An ensign then, bearing the inscription of "Annual Parliaments," could not be illegal, though he knew many disputed the wisdom of their revival, if even that they had ever existence, but it was said, that "Equal Representation," with the alternative "or death!" was illegal. If any body had perhaps proved that the alternative was woven in the loom of any of the defendants, the case might be different. There was no such proof; and for aught they knew it might have been brought in by an enemy. Suppose such a thing had been done at the great York meeting last September, would it have been permitted to affect the principal personages then assembled, without a proof of their knowledge of, and participation in the introduction of that flag? Did the inscription indicate any thing more than a strong feeling or an ill-selected word, in the absence of any direct identity between the defendants now on trial and the particular banner? And yet this was all which was urged to shew the seditious character of the meeting. There was no evidence, as on Watson's trial, of the inflammatory speech of a mad young man, who recommended the people to rob a gun-smith's shop; on the contrary, all the speeches delivered were pacific. Mr. Hulton indeed thought, that if the meeting was not dispersed, the town would not have been standing the next morning. Just the same right had he (Mr. Holt) to say, that had not the Smithfield meeting been dispersed, London would have been in flames. What right had persons to put upon speeches or upon acts any other interpretations, without proof, than their fair and obvious import indicates? The third and last charge was that of seditious riot. What was riot? He apprehended there was no such thing as riot in the abstract; the individual must be found actually doing that which tends to riot. If a multitude be even riotous, a man could not be made a rioter, even if present, should he be found holding no participation in the tumult that prevailed. Joseph Mills, Henry Horton, and James Platt, where the only witnesses who introduced Saxton's name. Mills, the police-officer, spoke of him as being on the hustings, but he was not there for any unlawful purpose; he might have been there as innocently as Mr. Horton, the reporter of *The New Times*, who was even locked in with the crowd, to form a barrier around the hustings. It would be clearly proved he never addressed the meeting. As well also might Mr. Fitzpatrick be prosecuted for his participation in the Smithfield meeting, in the cart of which he actually was. Surely then, the

reporter of a Government print is not to be guiltless on such an occasion, and the reporter of a paper of opposite principles guilty. Saxton was no where found confederating with others on the occasion. Mr. Scarlett said, that the object of this prosecution was to inculpate, not the multitude, but their leaders; that the net was not to be thrown too wide to embrace those who were only casually or subordinately concerned. He again made an appeal to the Jury on behalf of Saxton, and entreated them to consider him as detached from any thing like guilt in this unfortunate transaction.

Mr. S. BAMFORD, addressed the Court as follows.

"My Lord, and Gentlemen of the Jury—Before I enter into a detail of the evidence which I intend to produce in my own defence, I think it necessary to notice some expressions used by the Learned Counsel for the prosecution, in the speech which he addressed to this Court on the opening of these proceedings. I allude to that part of his harangue where he said that 'Bamford was seen training a body of ten thousand men on the morning of the 16th.' If the brief which the Learned Gentleman had before him instructed him to make such assertions, so much the better; and I sincerely wish, for his own honour, that it may be so. But your Lordship and the Jury cannot have failed to observe, the testimony of Morris contains no such proof, and he alone has appeared against me as to the transactions which took place at Middleton previous to the procession's movement towards Manchester. Indeed the evidence of Morris states that he knows not who formed the people into section, division, and square; that they were formed, but by whom he does not pretend to say. The Learned Gentleman also, in commenting upon some of the banners and their inscriptions, describes one as bearing the words "Annual Parliaments," and "Universal Suffrage;" and then insinuates, that such was accompanied by a demand, from whence he infers a design to subvert our Constitution and Government. Now the mottos upon the banner which he so erroneously described were nothing more than an avowal of what we considered, and do still consider, as our political rights. There was no such thing as a demand about it. Why should we demand that which we were going to Machester to petition for? The Learned Counsel began his speech to the Jury very smoothly and very coolly, desiring them to dismiss from their minds all feelings of animosity which they might have previously imbibed against the parties accused, and

what to me appears very strange, in a few breathings afterwards he makes the above statements, so erroneous and so well calculated to prejudice. His motives for so doing I cannot tell. If his own conscience acquit him, I do willingly. On the subject of drilling, I have in common with my neighbours heard much, seen some, and could have seen more; for it was, to use a common, though a very memorable phrase, "as notorious as the sun at noon day." If it be not trespassing too much on the time of the Court, I will endeavour to give a brief account of its origin and intention, and I am the more anxious to embrace the present opportunity, from having my mouth closed when I wished to have been heard at the bar of the House of Commons at the commencement of the last Session of Parliament. In the course of the last six years, Manchester has witnessed many public meetings, to all of which, with the exception of the last, great numbers of people from the surrounding towns and villages, proceeded in groups promiscuously, upon which occasion they were uniformly styled by the illiberal venal press of that place, a mob; a riotous a tumultuous, a disorderly mob. They were ridiculed as illiterate, dirty, and mean, having chapped hands and greasy night-caps. They were scandalised as being drunken and disorderly, and they were denounced as being libellous and seditious, dividers of property, and destroyers of social order; and was it not then very natural that these poor, insulted and vilified people should wish to rescue themselves from the unmerited imputations which were wantonly cast upon their conduct? It certainly was natural to give the lie to their enemies. To shew to the nation and to the world that they were not what they had been represented to be; they determined to give one example of peace and good order, such as should defy the most bitter of their accusers to criminate, and for this purpose and this alone was the drilling, so styled, instituted. Only one witness for the prosecution has sworn to having heard amongst the drillers the word "fire," all the others swear only to their facing, certainly most suited to familiarise them to that species of uniformity of motion which would be necessary to preserve due order and decorum in their progress to the place of meeting. But as to these facts I do not tender to your Lordship and to the Jury my own assertions, unaccompanied by corroborating evidence. I shall produce from the papers laid before the House of Commons, relative to the internal state of the country, what I consider as a confirmation of my statement. This document is dated the 5th of August, which is only four days

previous to the first proposed meeting at Manchester, which should have been on the 9th, so that if we suppose the drilling parties to have been in existence a week or a fortnight before the day on which this letter is dated, the ground of my argument is strengthened thereby. That military gentleman who did us the honour to stand so long before us on Saturday evening, and whose services, I trow, consisted in marching with Ralph Fletcher from Bolton to Manchester, and from Manchester to Bolton, talks of midnight drilling, and of the parties coming to the meeting in beautiful order; the former is not, I presume, legal evidence, and of course will not appear upon your Lordship's notes. The latter confirms what I have said respecting the wish of the people to preserve the strictest decorum. Your Lordship and the Jury will find, by the evidence which I shall produce, that by nine o'clock on the morning of the ever-memorable 16th August, numbers of persons assembled at Middleton; that they were formed into a kind of hollow square; and that whilst so formed I addressed them, earnestly cautioning them to be on their guard against their enemies, representing the advantage which would be taken of their numbers to create a riot by persons employed for that sole purpose; that I advised them to insult no person, but rather to suffer an insult on that day, as their enemies would be glad of a pretext to accuse them of riot and disorder; that I entreated them to bear towards every one a spirit of good will; in token of which I distributed amongst them branches of laurel, emblems of purity and peace, as described by Morris and Horton, and having heard that if I went to the meeting, the police of Manchester would upon its own responsibility arrest me, I cautioned the people against offering any resistance if such an attempt should be made, as I preferred an appeal to the laws of my country to the use of force. That I insisted no sticks should be taken, and that in consequence several were left by the way; that we went in the greatest hilarity and good humour, preceded by a band of music playing several loyal and national airs; and that our fathers and mothers, our wives and children, our sisters and our sweethearts were with us. And this was the dreadful military array which the Learned Counsel has, in the strains of a celebrated Don, described as one vast army bearing from all points to the invasion of Manchester—poor, forlorn, defenceless Manchester! These are the soldiers ready to fight for Mr. Hunt, with bare heads and with arms locked (a fighting posture forsooth!) who terrified that immortal

author of given books, Mr. Francis Phillips; and of these persons, O, dreadful to relate! was composed that *cordon* impenetrable to every thing, save the new ground sabres of the Manchester yeomanry cavalry."

George Swift then addressed the Court in his defence. He admitted having been at the Manchester meeting, but utterly denied that he was there for any illegal purpose. He corroborated the statement in evidence of his addressing the people to be peaceable; and yet for all this he had been confined in close custody, and exposed to the opprobrium of the world, as guilty of a serious offence. He had no connexion with the Reformers, and he left his case with the Court and Jury.

Mr. Joseph Healy (commonly called the Doctor) had a paper, of which the following is a copy, read by the clerk of the Court, as he was himself prevented from reading it by a severe cold.

MR. HEALY'S DEFENCE.

"My Lord, and Gentlemen of the Jury—Permit me to offer a few prefatory remarks to your serious consideration. I stand here accused of a crime against the laws of my country; but I should wish to press upon your minds that just and equitable maxim, that every man is considered innocent until proved guilty by good and substantial evidence; and I therefore hope that what I shall think proper to introduce for my defence this day will be duly weighed and reflected on by you. You are sworn to well and truly try and just deliverance make of this case, to which purpose I beseech you to lay aside party feelings and interests, unrobe yourselves of all party spirit and prejudices, if you have, any and let nothing weigh in your decision but what you hear well substantiated, on oath, from creditable witnesses, who are completely disinterested. In our political opinions and feelings we may perhaps differ, but as you are countrymen and Englishmen, I will not believe but that you glory in fair play—you glory in suffering every man to enjoy that privilege you would wish to enjoy, fulfilling that beautiful saying of Scripture, "do to others as you would wish others to do to you." Liberality of sentiment is the greatest proof of a well cultivated mind. Having premised thus much, I shall now come to the subject of the indictment. It is divided into such a tissue of repetition as never before occurred. We are charged with a conspiracy, which is said to have commenced in July, and been consummated on the 16th of August. At once I deny the charge altogether—neither had it,

nor can it be proved against us. If meeting my fellow-countrymen to petition Parliament or the King for a reform in the representation in the House of Commons be a conspiracy, then I confess I am a conspirator, and am ready to bear chains, racks, and dungeons for such conspiracy. But, Gentlemen, I trust I shall convince you that neither I nor my fellow-prisoners merit such a severe name. I am unskilled in the forms of law; it strikes me that no act or acts can be considered as a conspiracy unless such acts tended to further and mature unlawful matter, and I wish to keep this in view through this all-important trial– a trial in which the liberty of yourselves, children, and country, are at issue. I apprehend, if mere association and communion of ideas constitute conspiracy, then are you very conspirators—for from distant places for one purpose, you must consult, devise, and associate, and why not, while doing so, be conspirators? Design can alone constitute criminality, and here, unless it can be shown by good and irreproachable evidence, that we intended to break the peace, and bring the Constitution into contempt, it is clear we have committed no crime against those existing laws of the land. This meeting, as well as others I have attended, was called by public advertisement (which he had here read.) The document will speak for itself. You see it is for the purpose of considering the most lawful means of obtaining Reform. The day arrives--(Here he described the meeting to consist of a promiscuous assemblage of men, women, and children, with music.) You have been told of the military array of the people; but did the laws of the land then point out in what manner the people should go to the meeting?—I fearlessly say no. Then any method was lawful. You are told of the people carrying walking-sticks; but it will be proved they were very rare on that day. It was said the people had flags and devices. Were they forbidden by the then law? I say no. It is said they came with music; was that forbidden? I say no. It is said that meetings called for a lawful purpose might become unlawful by their numbers. Did the then law specify how many made a lawful meeting? I say no. St. Paul has laid it down, that where there is no law there is no transgression; and, thank God, the laws of my country say the same. You will think, with the great Apostle of the Gentiles, I am confident, and therefore I expect an acquittal. I am anxious to inform you, that in Lancashire, where military habits are almost interwoven with the people, the scholars walk in procession with music and flags. It may be attempted to be said, that the Reform we sought was not constitutional;

this was a new doctrine, imported from Algiers. I apprehend the right of petition or remonstrance is a natural right, anterior to all forms of government, being planted by God in our very natures, and a right enjoyed in the most despotic States—in Constantinople as well as London. It is expressly laid down in the fundamental laws of the land, that every body has the liberty of petitioning, and adds, that all committals for it are illegal. If the people had the right of petition, they must also have a right to meet and discuss grievances. The laws of the land are conclusive for us. Would a petition for the repeal of the Septennial Law be penal?—or for the disfranchisement of Gatton, Old Sarum, &c.?—He then referred at large to the Act of Settlement, &c. and said, if this be not so, farewell reason and justice, and Duke of Richmond, Earl of Chatham, Fox, Pitt, Sir Wm. Jones, Granville Sharpe, Sheridan, and thousands of other great men. I trust the meeting is now proved legal. The magistrates, I wish to impress upon you, that the magistrates do not appear to have discovered the meeting to be illegal until 12 o'clock; if they knew it before, they were criminal in not giving notice of it." He then impeached many of the witnesses for the prosecution, on account of their connexion with the police, and eulogised the witnesses he had to adduce, and then concluded thus:—"And now, my Lord Judge, I pray you not to say any thing to prejudice the minds of the Jury, but leave the matter with them; and to you, Gentlemen of the Jury, I would suggest a word of advice, namely, that the law considers you the Judge in this case; and therefore you will judge for yourselves, without taking any notice whatever of what may be advanced as this opinion or that opinion. I only seek to repair our old constitution, and make it a *fac simile* of the sentiments of the people at large."

Mr. Justice Bayley smiled at the allusion as to what might be his charge to the Jury, and turning to them, hoped they would attend to the defendant's request.

MR. JOHNSON'S DEFENCE.

Mr. Johnson, in his defence, said, he had been induced to attend at the meeting by desire of some persons who thought he had influence over the people, and to maintain peace and order. He then asserted that what was sworn respecting himself was not true, and arraigned the conduct of the police of Manchester.

Mr. Johnson said, not expecting the case for the prosecution to close this evening, he was rather unprepared for his

defence, but conscious of his innocence, he would go for word. He was entirely unaccustomed to address such an assembly as that which he now beheld.

Mr Justice Bayley.—If you wish to have time till to-morrow morning, you are at liberty to postpone your defence.

Mr. Johnion.—No my Lord, I have but little to say. He would briefly state his connection with this meeting, and the reasons which induced him to attend it. He was requested to be present, and he proceeded to the appointed place under the impression that every thing would be conducted in the most quiet and peaceable manner. He went with a determination of the best kind. He knew that the people of Manchester were in a dreadful state of distress; and base men, he was convinced, were employed to work on their misery, and compel them to commit some mischievous acts. That the police of Manchester cherished this intention, he entertained not the slightest doubt. The people being placed in this melancholy situation, he attended the meeting for the sole purpose of preventing them from doing any thing rash or violent, however their passions might be stimulated by designing men. It was intended to have a remonstrance of the Manchester people drawn up for the purpose of being laid before the Prince Regent, so that, if possible, his Royal Highness might be induced to investigate their sufferings, and to devize means for their removal. The object of that remonstrance would have been, to show that they were not fairly and regularly represented in the House of Commons, and that to this non-representation their evils were entirely to be attributed. It was his decided opinion that such a proceeding was absolutely necessary, He knew that many honest men differed in opinion on this subject: but, as it was a matter of opinion, he conceived he had as good a right to adhere to his sentiments as those who thought differently conceived they were entitled to maintain theirs. Knowing that a great part of the population of Manchester laboured exceedingly hard for fifteen or sixteen hours a-day, for which they received 8s. or 9s. per week, he conceived that their situation ought to be ameliorated, and therefore he attended the meeting. He should richly deserve to have a verdict returned against him—he would consent to be found guilty—if what Slater and Willie had sworn against him was true. But he was sure the Jury could never suppose that he would make such a statement as that alleged in the presence of a man he had never seen before in his life. I have serious doubts on my mind, that Mr. M———, the

solicitor, suborned that man, Willie, to come forward against me.

Mr. Justice Bayley interrupted the defendant.—He could not suffer such gross accusations to be made in that Court.

The defendant continued.—He would prove by a gentleman of undoubted veracity, that that Willie said he had declared to be a positive fact, he had, over and over again, related as a hearsay story, and one which he did not believe. He should not have made these remarks against the police of Manchester, if he were not acquainted with them. He had been in the habit of attending the police-office, and he had opposed some of their measures. In consequence, some of those connected with that establishment had taken every step to destroy his character and credit. He requested the Jury to throw aside all political bias, to take leave of undue prejudice, and to think for themselves. He could assure them he never stated, as a fact, that the men of Nottingham were to do such and such things. He always related it as a mere hearsay statement.

Mr. Hunt intimated a wish, as it was then past six o'clock to have the Court adjourned till ten on Tuesday morning, in order that he might examine, with as much attention as possible, the mass of evidence that had been adduced, before he commenced his defence.

The learned Judge acceded to the propostiion, and the Court adjourned.

FIFTH DAY.

MR. HUNT'S DEFENCE.

Mr. Hunt proceeded to address the Court, amidst the most profound silence and attention. He spoke as follows:—

Rising as I do, under such peculiar and multifarious difficulties, I have to entreat the indulgence of the jury, as well as that of the Court, while I endeavoured to lay before you, as far as my humble powers will admit, the case I have to bring forward, in answer to that which has been attempted to be substantiated against me. It will not be, perhaps, intruding on your time, shortly to say, that when I arrived in York I was labouring under a most severe indisposition, from a cold which I had recently taken, which indisposition has been day after day increased by my attendance in this Court, where I have been exposed to the draught from one

or two doors on my head, and thereby placed in a situation of great difficulty and considerable danger. When your Lordship indulged me last night, by granting me an hour's further delay this morning—an indulgence which was so unfeelingly opposed by the learned Counsel employed against me—

Mr. Justice Bayley.—Pray, Mr. Hunt, don't use the harsh term "unfeeling;" let us refrain from personalities.

Mr. Hunt.—I was in hopes that I should have been able, step by step, to read the evidence through before I came to my defence; but when I left this Court last evening I was so indisposed as to be obliged to call in an eminent medical man, who recommended me by all means to abstain from any business which might cause anxiety or irritation, and to keep myself as quiet as possible. This, Gentlemen, prevented me from reading over the evidence with that care which I should otherwise have done. If under such discouraging circumstances I should be under the necessity of taking up much of your time, I hope the delay will not create in your minds any prejudice against me, but be attributed to the real and only cause. When I put in this claim I do so on the score of health; I claim not, I want not to excite improper sympathy. A conscious feeling of rectitude has always dictated my motives and governed my actions and intentions, and will now, I feel confident, enable me to bear up against multiplied difficulties with honour to myself, and, I trust, with satisfaction to you. When you heard, Gentlemen, the opening speech of the Learned Counsel, I am sure you must have felt that you were about to try a very different question from that which has since been detailed to you. I am sure you thought you were about to try some monster in human shape, who, devoid of feeling, integrity, and of character, sought the overthrow of all good Government, and of all the most sacred institutions of the country. You have heard the evidence which followed the speech for the prosecution, and I now ask you where are the proofs that any man here is such a monster? To your oaths and your consciences I calmly leave that appeal. The Learned Gentleman set out with expressing to you his congratulations at the removal of this trial to your county from the neighbouring one, and in the pleasure it gave him to find it about to be tried in a place where local prejudices were not liable to have particular operation. He made this congratulation, as he said, on the part of the cause of justice, as well as in behalf of the defendants. But with what sincerity, Gentleman, can you receive that congratulation, when I tell you that

that Learned Counsel himself, with the Attorney and Solicitor-Generals, Mr. Raine, and the whole of the Crown Lawyers, employed all their combined talents and legal acumen to deprive you of having the performance of that duty on which he now congratulates you, and to prevent my having this opportunity of obtaining an unbiassed Jury of the county of York? Has it also come to his knowledge that unfair means have been resorted to even with a Jury here? This Jury he knows were struck with the Sheriff at the side of the selector. Does he believe that no improper means have been resorted to? Does he believe that no improper means have been used by the Under-Sheriff, or that no letter has been written to an individual called on the Jury, but who has not attended?

Mr. Justice Bayley—Mr. Hunt, I must interfere. This is quite extraneous matter. If any such interference were used, there is another way of investigating it. The party making that interference is answerable for it, but it is foreign to the present business.

Mr. HUNT—I state, my Lord, what I am informed I can prove. I am well advised upon it, and I do not hesitate to say, that it would form a good and valid ground of objection to any verdict tainted by such means. But I here confess I have no such feeling. If any such attempt has been made upon any individual in your box, Gentlemen of the Jury, I am sure, that instead of creating an undue impression against me, it will operate in my favour—and that you will feel no leaning towards the man who has dared to do it, and who shall hereafter, face to face, answer for his conduct. I must, however, say, that much prejudice has necessarily been imbibed against us. The opening speech of the Learned Counsel has gone forth through the London Papers to the world, while we are yet upon our trial. They have been here circulated in a public coffee-room by some of the witnesses convened for the prosecution, a false impression has been thus created, and nineteen out of twenty of the people of England have ere now been exposed to its operation. I am not only charged in this opening speech, which has been disseminated throughout the world, with being a man on his trial for an attempt to overthrow the constituted authorities of my country, but also to destroy, in the flame of infidelity, the altar of our holy religion. It has been industriously promulgated that I was connected with Mr. Carlile; it has been propagated that I am a man of his principles—where is the proof? Without it, why should the imputation be cast? I shall not advert to the conduct of

Mr. Carlile, because the law has imposed its punishment upon him, and he is now enduring the reward of his temerity. It would be therefore improper and imprudent, and unjust, for me, in open Court, to touch upon such a subject; but why was the topic introduced? I will tell you Gentlemen—to connect our cause with irreligion, and to identify that of the reformers with Mr. Carlile's. I am not here, I openly avow, either by my evidence or my speech, to convey in the slightest degree, any intention of disavowing the appellation of being a Reformer. I am not a man to hold one opinion in private, and another in public, with regard to my political sentiments. I have no crooked expediency. I profess to be a Reformer, but not a Leveller. I profess to be a lover of liberty, but not of licentiousness. Sweet, lovely Liberty, Gentlemen, is pure and amiable as sacred truth. Licentiousness is as disgraceful as darkness and falsehood. Liberty is as contrasted with crime, as truth is with some of that evidence which has been given in that box on the part of the prosecution. Who that read the Learned Counsel's speech, and heard his allusion to a bloody dagger, encompassed and surrounded by the people of the Manchester Meeting—a dagger too which has now been seen through the public prints by 19-20ths of the empire—who, I say, but must think, that the vile criminal so impugned, is a monster, a low bred, vulgar villain, a desperado of low life, plodding violence and rapine, treason and murder—instigating his fellow creatures to hurry on with him in his career of desperate and atrocious criminality? What proof is there in evidence to entitle the Learned Counsel to draw this "air-drawn dagger," save indeed the evidence of one uncorroborated witness—a man, too, bearing the rank of high life; a Gentleman and a Magistrate; he, of all, only dared to utter this breath of slander, and to implicate us, or any part of the meeting, in any acts of tumult or violence. This having been done, it is incumbent upon us here to repel by evidence, this false and infamous calumny which the Learned Counsel, though he uttered, did not dare to prove by one corroborating evidence.

Mr. Justice Bayley—Pray do not use opprobrious epithets. I cannot hear them.

Mr. Hunt—My Lord, it is charged upon me that I have been criminally connected with public meetings, at which, among other emblems there was a bloody dagger on a flag—Where, I ask, is the dagger? Where is the flag? I answer, no where, but in the perverted imagination of the man who uttered it to excite a prejudice against us in the minds of

the Jury. He smiles (Mr. Scarlett was observed by Mr. Hunt to smile)—He may smile, but let him remember that, like the story of the boy and the frogs, what was fun for him may be death to me. If there was this emblem, Gentlemen of the Jury, you would have seen it here, for you recollect Shawcross said that the banners, the revolutionary emblems, the implements of war, were all here. Why did not the Learned Gentleman, whose witnesses had them, call for their production? No, no, Gentlemen, his observation at that moment was, "Let us close the case." Where was the witness Nadin, who is here? Why not a single witness to prove the existence of this bloody dagger? Where are the dreadful ensigns? Why not produce them here to justify their clients? See the effect they were calculated to produce, and do you think the prosecutors would have lost it, if it was possible to be obtained? Where are the bludgeons that were shouldered like wooden muskets? They were part of the captured spoils; Mr. Jonathan Andrews saw them four feet in length; where are they? No, not one is here. The bludgeons then, the stones that were hurled at the yeomanry; Mr. Scarlett's bludgeons, Mr. Hulton's bludgeons, brickbats, and stones, are only to be found existing in the mind of the Learned Counsel and his solitary witness. They know well that they had no other existence. The Learned Counsel said he knew Mr. Hulton much better than I do. I dare say he does, and I give him joy of his acquaintance. Mr. Hulton was about 3 or 400 yards from the hustings. He is yet the only man who dares to swear to the flinging of stones and the brandishing of sticks, to the face about of the people against the military, their being attacked, and, as it were, cut off. He only speaks to the hissing and hooting. I shall contradict that man. Why was he not corroborated by his brother magistrates, nine of whom were with him in the room when he saw all these indications of violence? Why should testimony so important want the confirmation of his brother Magistrates, who could, if the story be true, have corroborated every word of it; we know that the whole of the nine other Magistrates were here on the first morning of the trial; we know that Mr. Hay were here, and Mr. Norris; we know that when witnesses were ordered out of Court, they went out among the rest, from that box where they had taken their places. All went out, for what? to enable them to be called as evidence; and yet not one was brought to corroborate the most strong of them all. All Lancashire did not furnish a brother Magistrate to corroborate Mr.

Hulton; of the whole police, whole take oaths by the hundred every year, there was not one to prop up such an assertion of our guilty acts. No; not one could be found to swear after Mr. Hulton. Gentlemen, if this question were merely the simple one of my guilt or innocence, my moral guilt, or moral innocence, I declare to God, that, knowing as I do the Judge who tries this cause, his high character, his great integrity, I would let the evidence go to you as it stands, and demand upon it your verdict of an honourable acquittal. To that Judge whose character—

Mr. Justice BAYLEY—Let me beg of you not to allude to it in this manner.

Mr. HUNT—Well then, Gentlemen, I cannot give vent to those feelings which would gratify me to utter. I shall only say, that out of all the evidence brought forth on the part of the Crown, there had not been a single one whose cross examination did not elicit a contradiction of the charge brought against us. I have said, that if my private interest were alone concerned, I should leave the evidence to you as the prosecution left it to you. But there are great national interests involved in it, and which must be here decided. I feel, then, I must combat the tissue of misrepresentations that have been sent forth against us. I feel that I must undo the criminal force of the Learned Counsel's accusation, which has now gone far and wide throughout the country. When I see, therefore, the absolute necessity of calling evidence to rebut such gross and unfounded imputations, I must crave your indulgence to allow me the opportunity. It is, Gentlemen, no part of my character to be the flatterer of any man, or to fawn before any personage. To such language, or such sycophancy, I am an utter stranger. If I then approach the Learned Judge with the humble tribute of my praise—

Mr. Justice BAYLEY—Mr. Hunt, you must not; I cannot hear it. Pray forbear.

Mr. HUNT—Gentlemen, I said I could not be a flatterer; but I mean to speak the honest language of truth, not of adulation. If I said else, I know it would have only the effect of exciting in your minds a prejudice against me. During the whole course of this trial, the Learned Judge (and I hope I may be permitted to say it) has exercised a patience, has shewn a temper often tried, and I will admit, perhaps, not a little by myself, as well as by others.

Mr. Justice BAYLEY—We must not suffer those allusions to be made; I will thank you to say nothing about it. Go what is material for your defence.

Mr. HUNT—Well, Gentlemen, I must desist from gratifying my feelings; his Lordship's hint of disapprobation shall ever induce me to desist from pursuing any course that may be disagreeable to him. After those preliminary observations I ask your patience, Gentlemen, while I go through, as well as I can, the principal parts of the evidence for the prosecution. But first I must call your attention to the nature of the indictment. It is for a conspiracy; a very fashionable and convenient mode now-a-days of proceeding by indictments; for by so proceeding there is no limit to inquiry—every action of a man's life may be scanned to shew his character; his whole career may be raked up. Every possible degree of criminality may be left to be inferred from the *animus* with which he transacted any affair of his life. Now, Gentlemen, in this indictment they had this wide scope. I ask you, then, what proof of evil intention have they adduced against us? None—none whatever. I was, you have heard, at Stockport, where I received the kind and hospitable treatment of Mr. Moorhouse; I went from Stockport to Manchester on the Monday, and yet Chadwick, who was the whole week watching from Manchester to Stockport, and from Stockport to White Moss, can only bring out this material fact, that has been so much dwelt upon, namely, that, as I passed along the road I said, "Let us give one shout, lads." Is this a conspiracy? No. What, then, is it meant for? Why, for this purpose, to excite a prejudice against me, by attributing to my popularity the collection of this great meeting. I will bring a witness to prove the circumstances attending this shout. I will put into that box a lad who has been in my service for seven years—a simple country lad, who has attended me at all public meetings for the last seven years. Get out of him, if you can, any act of criminality. The Learned Counsel, who will, I know, condescend to any thing here—can enter the recesses of my stable and my private chamber; let him, through my servant, scan every event in my house. The fact of that shout is this:—I am, as it is known, long accustomed to meet crowds of people, and whenever I saw the least disposition in the multitude to hiss, and give offence of any kind to any individual, it has always been my practice to draw their attention from the object of their dislike by proposing three cheers, or a shout of some kind to divert their attention and exhilarate their minds. If I see a wish to hurt the feelings of any body I always say, "No, no; give them three cheers." What a contemptible vanity am I not charged with, to excite a shout from the people—what did I want of it? I needed no such

stimulus to them, if I were weak enough to resort to such means. They always gave me enough of shouting when I appeared among them, without using any such foolish means to obtain their applause. When I got to Bullock's Smithey, I found that the meeting of the 9th August had been prohibited by the Magistrates, and declared illegal. Mr. Hunt, you have called this meeting; No—it was not Mr. Hunt who called it—it was the inhabitants of Manchester—who called it by public advertisement. A requisition had been sent to the Boroughreeve, signed by about 1700 householders of Manchester, each name having the trade and address of the party annexed to it, desiring that a meeting of Manchester and the vicinity should be convened—for what? "to adopt the most legal and most effectual means to procure a Reform in the Commons House of Parliament." This requisition was published in the papers, with the names of the inhabitants subscribed to it. The Boroughreeve would not call the meeting, and they then called it themselves. This was on the 7th of August, two days before I arrived in the neighbourhood, and yet this was the meeting said to have been called by a man who had neither residence, property, or connexions in Manchester—a man who was in fact out of the town for two days after. I was invited to preside at that meeting, because I imagine they knew I had presided at others where peace and order prevailed. There was not one public meeting I ever attended in the course of my life that was not so conducted. I tell you frankly and freely, that I was never invited by my countrymen to take part in any public meeting at which I did not attend. This may be attributed to my vanity and ambition. What vanity? What ambition? Was it the ambition to do evil?—No; it was the ambition to do that good which I thought it in my power to accomplish. When did I shew a disposition to do evil? The meetings are described as composed of *cordons* and martial array, and all prepared to fight against any one, and for me; and where did I misdirect their power?—I keep no notes of my speeches—I trust to the feelings and dictates of my heart, which are foreign to violence; and I speak what I feel. I ask, then, on what meeting in the whole course of my life did I, by even any single casual expression dropped in the heat of the moment, use one single word that had a tendency to excite the People against their constitution, and the Authorities of the State? If I had attempted so bad a course, I do not believe the people would, in any instance, have followed my example. I never entertained such sentiments. It has ever been my desire to induce the people to uphold

the honest, noble, dignified, free born character of Englishmen; to make them lovers of its free Constitution, its Authorities, and its Laws; and perhaps in only two or three individual instances have I ever seen a single being who was desirous of doing unlawful acts. I never wished to remedy any imaginary or real evil by any other than legitimate means—"the most legal and most effectual means," as are specified in this Requisition, always constituted the doctrines I sought. You have heard of burning mills. What mills did I ever point out for conflagration? What farms did I point out for partition? What butcher's or baker's shops did I ever designate for plunder? None. If I ever had so misconducted myself, do you think, Gentlemen of the Jury, you would not have heard of it during this trial? Do you not think that the prosecutors, with the whole Treasury of England at their back, would have found it out, and made me answerable for it this day? I never in the whole course of my life used a single expression that had a tendency to induce the humbler walks of life, or the lower orders as they are denominated, to obtain a single farthing, except from the fruits of their own honest industry. The Reporters who have been examined, all prove that I never used a single phrase but what was an exhortation for peace and order. Roger Entwistle alone says, I pointed to the soldiers and said, "there are your enemies, get them down, and when you have them down, keep them down." Mr. Horton says, this was not addressed to the soldiers, and I will prove to you, that I could not, from my position, have seen the soldiers at the time. So much for Roger Entwistle's fact. Next came the charge of martial array and wooden muskets—the symptoms of violence and disorder—not a single bludgeon is produced—not a single individual in that immense crowd offers an insult to any one. Mr. Green, Mr. Phillips, and Mr. Hardman come here and declare their dread of the meeting without hearing a single expression used to justify their alarm. In this immense population, consisting of 60 or 70,000 people, you have only spoken of in evidence four or five verbal insults, and the principal of these too used before the people entered Manchester. One man said, "Manchester would be made that night a second Moscow;" and yet see the impression this awful denunciation made on the witness who heard it, a man who had at the time his wife and children in the very town that was so soon to be in a state of conflagration, and yet what effect did it produce upon him? Why he remained pursuing his ordinary occupation in the factory where he was at

work ; he felt that it was an idle and ridiculous phrase, and being under no alarm for his family, he never cared about returning to Manchester until his regular hour at night. Do you think, if the man thought the observation any thing but a vain boast, he could not, unless he were a monster, have refrained from flying before that populace, and rescuing his wife and children from the impending danger? Then comes Mr. Francis Phillips. He, it seems, rode out to Stockport, and eying a man very close, who had got a stake or a club in return, and therefore denounced the meeting as illegal. This was the author of the celebrated pamphlet, a man who had done more to circulate the grossest misrepresentations respecting the Manchester business than any other man in the country.

Mr. Phillips tells you he returned, and made certain depositions before the Magistrates. But yet, from what had fallen from the other witnesses, it would appear, that so far from the danger arising on the morning of Monday, in the eyes of the Magistrates, they had actually met on the Sunday, to try and frame depositions upon the subject; but not being able to agree upon the point, had deferred the matter until the following day. And yet they tell you they never felt alarm until the morning of Monday; so that their alarm appeared in the result to be, not sudden and imminent, but the counsel of two days. The great discussion—the great arrangement, was how to break up the meeting without reading the Riot Act—the famous Riot Act. The counsel for the prosecution did not bring a single witness to prove that it had been read—they knew very well that if they attempted to do so, the evidence of the individual would have been kicked out of Court, They knew it was never read. I did not put the question to Hulton, because I knew his answer would have been " *Yes, bang.*"

Mr. Justice Bayley—" You cannot know what his answer would be, Mr. Hunt."

But though I did not put the question, I got full enough from him in the cross examination, that no such thing had been done. I made him to all intents and purposes swear that no Riot Act was read. I asked him, " Did either you or any of your brother Magistrates go forth and caution the people that their meeting was illegal? Did you give them any notice before you dispersed them ? Did you try to persuade them to desist from what you thought was their object, or make them in any way believe that you intended to drive them away by force ? " No," said Mr. Hulton. I, continued Mr. Hunt, knew that the Riot Act was a notice—

that it was a proclamation to the people. I put my question, therefore, so as to get the answer without hinting to the witness the fact I wanted to extract from him. I knew that no Riot Act had been, from first to last, read. Mr. Scarlett knew that, and he did not venture to ask the question. He knew the impression produced in the House of Commons by that circumstance, and how it reverberated throughout the country. Why not call the Rev. Mr. Ethelstone? Did not the Learned Gentleman know that Mr. Ethelstone sent in a message to the Oldham Inquest, that he could prove he had read the Riot Act? He sent in the message, but he did not dare go before a Jury and swear to the fact. Where were Mr. Trafford, Mr. Tatton, Mr. Hay, Mr. Norris, Colonel Fletcher, Colonel L'Estrange, and all the other gentlemen who were present, to prove the reading of any Riot Act? They knew what Mr. Hulton had sworn, why not then have come forward either to corroborate his testimony, or supply his deficiencies? Mr. Hay, indeed, did not wait; he put himself into a coach, and drove off from York instantly; we were, I suppose, expected to follow him with a subpœna. I am too old a soldier to be caught by such a manœuvre. Nature has given me common understanding, and I have seen a great deal too much of the consequences of bringing a hostile witness into the box for an examination in chief. But if they had put him up at the other side, as they must have at first intended, by bringing him here, then, indeed, I should have given a *Jew's eye* for his cross-examination. This was the Mr. Hay, who got a living of 2,500*l.* a-year for his conduct in this business. If Mr. Hulton get his reward for his share in the service, there is no gift the Crown can bestow too great for his deserts, Mr. Hulton is truly, Gentlemen, the boldest man I ever saw. I know and feel that when a man of rank and character speaks before a Jury of Gentlemen, to facts, his evidence is necessarily calculated to make a stronger impression on their minds than when the same information is derived from persons of meaner consideration. True, the rich and the poor man are equal in the eye of the law. But still I can see the different impression which will be made by the same circumstance reaching your ears through a different channel. It is, perhaps, natural and proper that more weight should, in such a case, attach to what falls from a man of rank and property. The common feelings of our nature, in a certain station in society, induce us to give a preponderating weight to the testimony of our equals, in preference to others, and make us reflect that a person so placed

has a great stake in maintaining his integrity, and that if he forget what he owes to his own conscience and his God, he must expect, as the consequence to forfeit the rank and consideration he holds in society, and that when such a man, be his rank what it may, becomes perjured, he falls to the earth. I shall bring the most unequivocal testimony before you that Mr. — —— is a ——— man. That he has told you that as a truth which has not the least shadow of probability. I know you will not take this from my mouth. I am aware you will require the strongest evidence to convince you that a man of his station could be guilty of that which I charge him with. But if I do not prove what I now say, let me be the villain that I am not, and he the innocent man. To prove what I say, I shall put in the box, not men of humble station, but men in the higher ranks of life—men totally unconnected with the Manchester meeting—men of equal rank and character and education with himself, and of ten times his property—men who cannot in any manner be pointed out as partisans of the people, assembled on the 16th of August. They will prove that they had every means and opportunity of watching that meeting, and that they saw no brandishing of cudgels, no flinging of brickbats, no facing about upon the military, no cutting off the yeomanry. Not one of these acts did they see - not one of them, if they had been committed, could have escaped their attention. Not one finger did they see raised against the yeomanry when they advanced to arrest the persons on the hustings. When I prove all this, and not until then; but *then* I shall call upon you to dismiss from your mind the whole of Mr. Hulton's evidence upon this point. I repeat, that if the case merely concerned myself individually, I should have this evidence rest upon its own improbability. I'd let it stand as it does, totally uncorroborated by the whole weight of a Treasury prosecution; but the question involves more than a verdict of guilty or not guilty upon the defendants now on trial: it will decide no less a question than this: whether, hereafter, there shall be a particle of rational liberty left in the country? You will decide whether the meetings of the People, or of Gentlemen like yourselves, shall in future be under any other or better security than that you shall not be cut down by sabres, or than the discretion of any hot-headed young magistrate? You will have to say whether in future it shall be lawful for any such person to send among a mixed meeting of men and women, and children, a set of drunken, infuriated yeomanry, to inflict upon them, while peaceably assembled, military execution? I am charged with being guilty of the grossest

misrepresentations upon this subject. You have now to ascertain at which side the grossest misrepresentations have been given.

I shall now call your attention to the main points urged by the witnesses for the prosecution. Lomas, the Cheshire yeoman, who was actively engaged riding between Stockport and Manchester, from seven o'clock on the morning of the 16th August until two o'clock, had not had his attention, he says, drawn to any particular act throughout the whole of that time. He appears to have been merely called to shew that the Cheshire yeomanry, though they bore off the spoils from the field, had taken no part in the honour of the battle. The people were fled when he entered St Peter's area; and yet, according to Mr. Hulton, the people were on the spot at the time, and encircling the yeomanry cavalry, when the 15th hussars and the Cheshire were, according to Mr. Hulton, sent to their rescue. Next came the evidence of the *Mushroom Serjeant*, who heard Mr. Bamford address the Middleton division of the people, and tell them that he expected no disturbance, at least until their return. Now it will be proved that no such words were ever uttered by Bamford; that he never said "the day is our own; and that the explanation he gave of the banners was the real fact, namely, to prevent the people from straggling about among other divisions, and straying behind in public houses, or idling instead of coming home. Then came the midnight drilling, yet, except in the case of the police runners' account, this was done not at midnight, but in broad day. It was said, "why call in the adjoining people to a Manchester meeting?" To this he would ask, why had the Boroughreeves and Magistrates, in 1812, just in the same manner convened the 24 townships and people of the neighbouring counties, to congratulate his Royal Highness the Prince Regent on the prosperous and happy state of the country, at a time when they knew the labouring classes in that very district were suffering, from the pressure of the times, the greatest distress? That advertised meeting in 1812 did not take place, because the Boroughreeve heard that some independent man meant to oppose the thing and the authors of such a delusion upon the public. If to convoke such a meeting was not a conspiracy in the Boroughreeve, how could it be in the people last year? They had heard what the Learned Counsel said in allusion to the Corn Bill, and the banner, "No Corn Bill." He well knew that you were country Gentlemen, who might perhaps have certain strong impressions upon that subject: he well knew how to make use of

this impression, though he was himself an opponent of the Corn Bill. I have myself, Gentlemen, been at one time one of the largest farmers in England. I am a landed proprietor, though I have been held up as a raggamuffin; as a man without any means of existence, except that which I can draw from the pockets of the people. I tell those calumniators, that I never got one halfpenny from the pockets of the people—I never got one shilling except what I have honourably earned, and my own patrimony. I am Lord of the Manor of Glastonbury, in Somersetshire. That is no credit to me; it came to me as patrimony; I should rather have acquired it by my own exertions, I should then have been more proud of it. An attempt, Gentlemen, has also been made to charge irreligion to my account. Now, I have in the course of my life lived in seven or eight different villages, and in every one of them the clergyman of the neighbourhood was of my acquaintance. I have had the honour of knowing, and frequently the pleasure and delight of conversing with such characters. Where is one of them to impute an irreligious notion to me? I mention this to you as a duty I owe myself, to shake such an opprobrium from off my shoulders—you see it has been attempted to be thrown upon me. You have heard the miserable attempt to fix upon me an irreligious connexion with Carlile. I know that individual, and if I do not say what I think of him, it is because he is now suffering the sentence of the law, and therefore not a fit subject for any body's animadversion. Of him I shall say nought now; but I shall say, that none of the principles, professions, or doctrines he is said to have espoused were ever, at any moment of my life, imbibed or believed by me. In the face of God and my Country I most solemnly declare, that I never read one line of the Theological Works Carlile published, until Dr. Stoddart's libel upon me first put them into my hands, in the following manner:—Mr. Scarlett was then employed, as he is now, against me, in the Court of King's Bench; Carlile's trial was going on, mine was the very next, and I was bound to watch it, or else expose myself by one moment's absence, when it was called on, to a verdict for the defendant. Such was my unfortunate case, or else I should not have been in London, much less in Court when Carlile's trial was pending. I here further declare, in the face of heaven, that among the Reformers, rich or poor, I never recollect to have seen one line of the Theological Works of Thomas Paine. So much for the Reformers. Why then identify them so groundlessly with such doctrines? Is not sedition bad enough, without blasphemy being tacked

to it? Where is the proof of our being such characters? Was it from Mr. Moorhouse's servant, who proved him guilty of the treason of giving me a bed in his house, and who added, that her master was in the constant habit of reading the scriptures to his servants? Is that a proof of blasphemy? Good God! Was it not enough to charge us with crimes against our King and our fellow-men, but that also we must be designated as infidels against our religion and our God? Reverting to the Corn Laws, I must tell you my opinion, as the subject has been introduced. I, as a farmer, opposed them with all my might, from principle as well as policy. They were never intended to protect us, but they were passed to enable Ministers to screw taxes out of the pockets of the people.

Mr. Justice BAYLEY—"To impute an improper motive to the Legislature in passing an Act is not lawful."

Mr. HUNT resumed, and continued thus:—I know the effect of the Corn Laws has been to enable a portion of the Ministers to collect taxes from the pocket of the farmer to pay some extravagant salaries, sinecures, and grants, all of which I heartily condemn, but which I never would oppose by force.

Mr. Justice BAYLEY—It may be as well to abstain from that.

Mr. HUNT—However wrong I may have thought upon the subject, however wrong I may consider many acts of the Government, where is the proof that I ever urged others to get rid of them but by legal means? I have joined in petitions and prayers of the people, we have prayed, and prayed in vain; our petitions were not merely thrown under the table, but they were kicked out the house.

Mr. Justice BAYLEY—Pray do not enter on such a subject; it has nothing to do with this trial.

Mr. Hunt.—Surely it is no crime, no conspiracy to join together in prayer, or, if it be, it would be as much a crime for you to go to Church and offer up your prayers to the Supreme Being, whom we all adore. We are, indeed, allowed to do this, we are allowed to offer up our prayers, and are we to be accused of treason, and sedition, and blasphemy because we pray for relief from those afflictions which we feel to injure us? This is the height of our offending. The Learned Counsel for the prosecution has told you, Gentlemen, that it would be illegal to assemble great numbers of people together in one great plain. Why, perhaps, it would be illegal, and it is certain it would be absurd—nonsense—an utter impossibility. Why, what would they do there?

'Tis all but a hobgoblin story, and never was intended that they should be so assembled. If all the men, women and children in England were to get together in one great plain, I should be glad to know what would become of the Learned Counsel. I should like to see what a pretty figure he would cut. Well, then he tells you a story from a picture of Hogarth's. He was not satisfied with any thing he could find in print; and he tells you, that we ask for things of whose nature or whose uses we know nothing. I know not where he has made this discovery; but most likely it was at some electioneering borough town, where I could wish Hogarth had been, for he was so clever, that he would have very ably described Lewes about two years ago, when the Learned Counsel met so prominent a defeat. If the Learned Counsel had finished his climax about the picture and the eleven days, he would have thought something of Hunt and his companions, who were confined for eleven days and nights: and if they were, in a moment of desperation, to ring in his ears, "Give us back our eleven days of sweet liberty," there would have been some sense in his making restitution for the loss, and compensating us for being robbed of our liberty on the most groundless and false pretences. That would have been more applicable to our case, than the introduction of Hogarth's picture of the eleven days, or of a county election. Then, from this we are carried to Smithfield, and there I must say a word or two. How comes it that the Learned Counsel for the prosecution is placed in this situation, when one of the most important questions ever agitated in a Court of Justice, or submitted to the consideration of a Jury, is brought forward? How comes it that neither the Attorney-General nor the Solicitor-General are here? Perhaps you will be told, because the defendant is little better than a country bumpkin, not worth while to combat, or some mere country squire; and they say, "oh, we can manage him." Is this the case?—No. If the Attorney-General were here, I'd call him, place him in that box, and make him prove he was consulted by the Lord Mayor and others as to the legality of the Smithfield meeting; that he declared it was legal; and that between the 9th and 16th of August, Mr. Hay, of Manchester, also consulted him as to the meeting of the 16th.

Mr. Justice Bayley—That, Mr. Hunt, could not be allowed in evidence.

Mr. Hunt—My Lord, I would have tried the experiment.

Mr. Sergeant Hullock—No doubt of that.

Mr. Justice Bayley—If the Attorney General had been

here, whatever his opinion might be, he should take the law from me.

Mr. Hunt—We should have asked him many questions, and from Mr. Hay also.

Mr. Justice Bayley—This does not bear upon the present case. I would not allow evidence to be brought to that, and therefore it should not be stated.

Mr. Hunt—It is my imperious duty to remove those impressions which have been so erroneously made in the observations that have fallen from the Learned Counsel in the opening part of his speech, and which have not been proved on oath: I know that he is Lord of the ascendant on this Circuit, and as any thing he says must have great weight, I am doubly called upon to guard the Jury against taking his assertions as facts which have not been proved. If I make any improper complaint on this head, I am sure I shall be excused, when the condition in which I am placed is taken into consideration. I applied very recently to the Court of King's Bench on the subject of this trial, perhaps it was an imprudent complaint, but on that occasion he was arranged with the other Learned Gentlemen against my application.

Mr. Scarlett—If it be necessary, I have no objection to give Mr. Hunt an opportunity of explaining that transaction. If I had been applied to as Counsel, I would certainly have accepted the application.

Mr. HUNT—We know there are two great political parties in this country, who have given their opinions on this subject: and as it is well known that the Learned Counsel is attached to one of these great parties, was he not selected in case of any little leaning, little leaning, I say, being found in any of the Jury who were on the same side towards me, to take from me the benefit of their good opinion? I am sure, Gentlemen, it could not have escaped your observation, that the principal part of the case on the side of the prosecution has been to connect the persons who met at Manchester, with the atrocities, the dreadful atrocities committed at White Moss. I know, if it could be proved that such a connexion existed, we would be legally and rightly responsible for the conduct pursued there. For this purpose, Chadwick, the witness of all work, is brought before you; and he swears he never knew the solicitors for the prosecution until about ten days ago, until within ten days of this trial; but what does he prove affecting us? Why, because the Learned Counsel in his opening, said something had been done; and so he sets off by night from Manchester, and arrived by day-light at White Moss. Well, he

travelled at all events at the dead of night. He swears that what occurred there could be seen by all who passed, and that there were from two to three hundred spectators present. Then a second witness—is he there at the dead of night? no; but he sets off from Manchester about twelve o'clock at night, and arrives at White Moss between two and three o'clock in the morning; but he arrives on the other side of the Moss, and not at that side where the drilling was going forward. Shawcross, another witness, starts off about the same time; but it comes out, in his cross-examination, that he did not arrive at the place of drilling until four o'clock in the morning. They all travelled in the dead hour of the night, and staid there till about seven o'clock. Next comes Hayward, who arrives between six and seven o'clock; they heard no firing whatsoever; they only saw marching and training. Well, how is all this to connect us, who are the defendants, with the drilling at White Moss? —Oh, says the Learned Counsel, I'll inform Mr. Hunt, and I shall tell him how grossly and criminally I can connect him with it. How is it done, however? Why the only possible proof given of any person's being at the Manchester meeting, who were seen at White-moss on that morning was, as to the man who headed the Middleton division, and when I asked him who that man was, he could tell me, Bamford; but when Bamford was sitting in this Court—oh, then, he knew very well no such thing happened; and no such thing did happen.—But if there exists the shadow of a doubt on this subject, either in the mind of your Lordship or of the Jury, we will prove to you that Bamford was at home and in his bed until nearly ten o'clock that morning (I believe it was on Sunday morning), which perhaps made him lie there so long. Bamford, I admit led up the Middleton division, but did that connect him with the atrocities at White Moss? Certainly not. We have here a witness by accident, a cousin of Bamford's, a girl 15 years old, who lives with his family, and who was one of those that went with Bamford's wife and others to Manchester arm in arm, on the day of the meeting—who saw Bamford pull off his shoes, and throw them under the table, and then go to bed. She went to bed at 11 o'clock, got up the next morning at six, and his shoes and the clothes he had taken off were then in the same situation in which she had seen them the night before. The transactions at White Moss flew like wild-fire through the country, and well they might; and they produced all that disgust and horror which every honest man should feel on such an occasion. At six o'clock in the morn-

ing she saw Bamford, with his wife, in bed, and told him of the occurrences that had taken place; we have found out that witness of all work, Chadwick, we have discovered who and what he is—we know he is a character not to be believed upon his oath, and we have evidence to prove that in the presence of his fellow-shopmen he declared he would swear for any man who would pay him We know him to be a manufactured witness, and have sent for people to prove him unworthy of credit. The next thing is Hayward who said he saw the Middleton division go towards Smedly Cottage, and why? because he was told I was there. So that, Gentlemen, you see, if the dove-tail did not fit one place of the machinery, it would surely fit in another. But in his examination it turned out, that the cottage where I was, was a mile out of the road to town, and so much for that connexion. But somebody who was at White Moss was going to Manchester, I do not doubt it; perhaps his own companions, perhaps the very persons who attended before the Grand Jury at Lancaster, when the Bills were found against us.—Another attempt to connect the link, and what is it? Why, that the multitude at Withy Grove stopped my carriage, and that I commanded the people to hiss at the house of Murray. Where is the proof of this? What does Murray say?—that the carriage halted; that I looked out of it while the hissing proceeded: and if I did, what was more natural than to ask why the people hissed? Then I also bid them cheer; and what was that for? Was it to please my vanity?—No. But seeing the people so disposed, it was to divert their attention, and to prevent the continuance of that line of conduct they were pursuing. No witness confirms the most important of all important facts, that Hunt stopped his carriage, looked out of the window, took the command of the people, and desired them to hiss. Murray says, when they hissed, no carriage was there; and of course I could not have taken the command.

Mr. Justice Bayley—You are wrong, Mr. Hunt, as to the evidence of Murray.

Mr. Hunt—I suppose Murray to have said a carriage was there. I shall prove to you his memory to be incorrect; I shall prove to you that on Sunday, the 15th, in which he alledges a Magistrate to have taken his deposition, no such deposition was sworn to, but sworn to several days afterwards, namely, on the 21st, he did not swear positively that the person in the carriage pointed up at his house; but suppose he did, if I saw a disposition of the sort manifested, it

was but natural that I should look up and see what had attracted so much of the hostility of the people. Suppose it true, was that halting—was that taking any command—was that desiring the people to ill-use Murray? I hope, Gentlemen, in what I shall still have to urge to your consideration, that I shall not make the slightest misrepresentation either to save myself or the defendants who are now joined with me. When Murray was asked, if he said, "he'd be better pleased to go home in a boat rowed in the blood of the Reformers, than to walk home on the pavement," he feared to say so. When also asked if he ever said, "Were he a General on the 16th of August he'd destroy all the "b———y Reformers;" he recollected Chapman's going to Liverpool; when he found the many persons who were here that knew him, he answered "No." First he swore that he was quite sober; and then, as such expressions might not suit with a sober man, he was tipsy, he was a drunken fellow; he was any thing that could seem to palliate the oath he had taken. If, however, the point to be made by Murray's evidence is good for any thing, I am sure the nature of his testimony will destroy it in the minds of any twelve honest men. We cannot put a man into that box to prove his expressions; I know it would not be legal, and is not therefore competent to us to do so. But this man, Gentlemen, is one of the partizans of those who said he would not believe the reformers on their oaths. This is the amiable, the enlightened language of those who are sent as evidence against us. Well, on goes Mr. Hunt, he comes to the Exchange, and then is taken up to the Star, whose name I no more knew to be the Star, than I know the different Stars of the firmament. The people hissed at the house of a respectable man; but there was no Hunt's halting and taking the command and urging the people to continue such a conduct. Is there any proof I did any of these things? No; but there is proof of the reverse. A respectable Clergyman swears that the Magistrates were not then there; Hulton says they were not there; so this falls to the ground. Gentlemen, I would here entreat you to divest yourselves of those false impressions which have been so falsely instilled into you; you have seen, and you must see, not only that an attempt has been made to destroy me, but to impose on you, and to get, by these false representations, twelve as honest and as honorable men as ever trod the earth to violate their oaths.

Mr. Justice Bayley—That is very wrong, Mr. Hunt.

Mr. Hunt—I challenge Mr. Scarlett to shew his brief.

Mr. Justice Bayley—That connot be done.

Mr. Hunt.—I hope your Lordship will excuse me, but a man having so much at stake as I have, and placed in my present situation, cannot always measure his language, or methodise his thoughts. But, Gentlemen, you shall see, and so shall his Lordship see, by my conduct on this day's trial, if I be that violent demagogue, that cruel, deceiving man I have been represented to be. Yes, Gentlemen, you shall judge if aught that occurs this day can justify this calumny. I feel myself incapable of doing any thing contrary to the feelings of a man, an Englishman, and a gentleman; and if I do, let the whole weight of such a conduct come against me. If I go out of the course, if I give any resistance to authority when fairly administered, I beg you will let it go against me." (Here he referred to the speech of Mr. Scarlett, as reported in one of the London Morning Papers, in which he was charged with stopping at Murrays, and the Star Inn, and as abetting the hooting at the house where the Magistrates were assembled, and continued), "Look at the respectable clergyman who stood in that box, and I'm sure I treated him with that becoming respect due to his situation; but what did he say? did he say that the people in the coach hissed?—certainly not.

Mr. Justice Bayley.—He said the coach stopped and the people hissed.

Mr. Hunt.—But not, my Lord, that those in the coach had hissed; he saw no military car, that has now become a barouche; but that respectable gentleman, if I had got up and halted and pointed to the house, and hissed, would certainly have seen it; and on that he says not a word in contradiction. Then, Gentlemen, again I entreat you not to trust to those misrepresentations on my conduct which have been so profusely laid before you. Then came Barlow, who proved that when passing Deansgate there was a shouting by the people; a shouting, that is also made an offence; but where is the proof that those in the carriage joined theshout? Why are charges like this to be accumulated? What can be their object, if not to misrepresent me and the other defendants? Edward Simpson, who lived near that place, did not hear any noise at a quarter before one o'clock, but it is scarcely necessary to go much into his testimony: it amounts to little any way. Then as to Matthew Cowper, and those who follow him. You have heard of a poor fellow who was a lunatic, confined in a lunatic asylum; of the mushroom serjeant, who acted in such a manner that his oath is not to

be believed, and who told a fine story of his having gone to Ireland, when, in point of fact, he said so merely to disguise his being a deserter; and next of Cowper, who admitted his being turned off from his employment about fourteen years ago, for the robbery of his master, but who within the last few months, since this prosecution commenced, was employed by a Committee of those who gave their evidence against us, and since then, and not till then, was able to repay what he had stolen. You have heard of these men, Gentlemen of the Jury; these are three men who have been brought up in one day for the purpose of supporting this prosecution. A lunatic, I say not so to disparage him; it is much to be lamented, it is a great misfortune to him, but such is the man called upon to prove some expressions of Dr. Healy. If the proofs that such expressions were used was deemed a matter of any consequence, why was not his wife, who was always sane, who knew so much of these transactions, why was not she called to prove them: They were not used, or if they were, they were of no consequence. Thus, Gentlemen, to prop up the cause, you have a lunatic, a deserter, and a confessed thief. The Learned Counsel may say, what wonderful discoveries we have made; he may affect astonishment at our finding out what we have done. I can tell him we have no public purse at our back, enabling us to discover them, but that they were recognised by persons who knew their characters, and then sent me in the account on a slip of paper, of which I have not failed to make some use. Cowper knew he dare not contradict the fact of his having robbed his master, for we have a fellow servant of his to prove it. Then he comes as a reporter, to the hustings, and tells you first, that he went there of his own accord; but that was a sort of under-play, and it then comes out he went there for *The Courier*. He and his friend Roger Entwistle, are at variance, and they again differ materially from another of their amiable and proper associates. All who reported on that occasion differed, except in one point—that I said to the people "Put them down, and when you have them down, keep them so. What says Roger Entwistle? That I said, as the yeomanry were advancing, "there are your enemies, if they attempt to molest you, put them down, and when down keep them so." The others did not [illegible]r; no, they could not swear so well. Next comes Mr. Watt, the gentleman so intimately acquainted with the *jurists*. All he had proved has been contradicted over and over again, but whether it has or not, we shall be able to disprove it. He swears at one time he saw Saxton on

the hustings for half an hour, and at another time for an hour and a half. Then as to Bamford's being on the hustings after my arrival we shall prove it to be false, and that he was standing in the midst of the crowd during the time I was there. It was necessary, however, to connect him with the proceedings, and of course we wished to have him on the hustings. He also swears he saw Moorhouse on the hustings, a man who never was there, who never intended to be there ; (not that I admit for a single moment there was either disgrace or crime in being there), and who, I believe, did not even think of attending at the meeting. Here there is one circumstance which I must beg leave to recal to the attention of your Lordship, and of you, Gentlemen of the Jury, as to the testimony we extracted about the *flimsies*. I allude to an occurrence that took place in this Court—an occurrence that never should be tolerated in a Court of Justice, upon a question which I asked Mr. Hulton. A general sensation pervaded the Court, and one man, who clapped his hands, and made some other improper demonstrations, was taken, but not hurled to prison, as I have seen men treated on other occasions, very often, indeed, but upon oath taken as to the fact. Well, but it is not a little remarkable on this occasion to see who appeared to state the facts. Now who comes forward—why Mr. Platt. He hears it said, the man had clapped his hands, and he instantly comes forward to swear it. These are the sort of men we see who come forward against us ; but this is not enough ; another affidavit might be necessary to the fact, and he looks up to the gallery, and there he finds another of his brother witnesses, for whom he vouches, that he can also swear it. Worthy witnesses indeed ! Why, Gentlemen, when such persons are employed in any prosecution, can you rely upon the motives that have produced or give your belief to the instruments engaged to sustain it ? Platt, you see, was not tired of swearing; and I don't know but he'll be as successful here as in his prosecution of the *flimsey* business, for in that he never failed of *nailing* those against whom he had appeared. Ellis and Cowper and another reporter, differed in their accounts of what occurred, and for one, certainly, if his levity did not induce him to send forth all that was said about the cavalry, would not fail to do so from his malignancy. Then Ellis swears to what Mr. Green and Mr. Hardman tell him they saw, yet he was on the ground, but his testimony amounts to nothing. I am placed, Gentlemen, in the very unpleasant and unfortunate situation of being

wer and explain as to Moorhouse, what a Learned Counsel took considerable pains to mystify. The Learned Gentleman usually mistook, or he did perhaps what was worse, but quite usual with Counsel to do, endeavour to make the Jury mistake. He appeared as if he had in his hand an issue—

Mr. Justice Bayley—This comment is unfair; it is not allowable, it is uncalled for.

Mr. Hunt—My Lord, if the mode of defence adopted by the Counsel for Mr. Moorhouse, tend to commit me, I consider myself entitled to comment upon that procedure. I felt a thorough conviction in my own mind that the proposed meeting of the 9th was not illegal. I felt assured, because I knew my own disposition, that if I presided nothing illegal should take place. Presiding as Chairman, I should not have allowed it. What could be the object of endeavouring to connect the meeting of the 9th with that of the 16th? the former was given up. The thing was quite at an end. How, then, could it be represented by the Learned Counsel, as a question of law between me and the Magistrates of Manchester, as a subject to be discussed on the 16th, which Mr. Moorhouse was desirous of hearing? It seemed as if such observations were calculated to convey to the Jury the same sort of impression sought to be produced from another quarter. I am accused of staying a whole week in the neighbourhood of Manchester after the 9th. This is evidently intended to shew, by implication, that I was concerned with the other parties in a conspiracy, that I was connected with all those plans, all those secret meetings and drillings, all those horrors which are represented as certain to arise from the meeting of the 16th, had not that meeting been dispersed. With respect to the placard issued by the Magistrates, for preventing the meeting of the 9th, no person who saw it, and had the slightest acquaintance with grammar, could deny that it was foolishly worded, that it was perfectly ridiculous. It was to this circumstance I alluded when I spoke of the nine tailors. I can prove that, two days before the 9th, the meeting was called by 700 of the inhabitants of Manchester. Under such circumstances, I no doubt expressed regret that it was put off; but so far from intending to be present at that appointed for the 16th; so far from remaining, as was represented, about the country for the purpose of presiding at it, I can bring witnesses who will leave no doubt on your minds, Gentlemen of the Jury, that I was determined not to remain, that I stated distinctly it would not be in my power to remain. I went to Smedley Cottage, and my servant will prove to you, that when I came to Bul

lock Smithy, it was my intention to return, and proceed homewards. The manner in which I was induced to stay, shall appear in evidence; the solicitations that were used, the persons who used them, and the motives that prevailed on me to comply; I feel pride in this heart, I am delighted at the thought of having remained, I should to the close of life feel compunction, I should ever accuse myself, had I not performed that duty to the public, to my Manchester friends, and to that great body of people who assembled upon the occasion. I should for ever blame myself had I not stayed to exercise all the influence I possessed for preventing those dreadful consequences that followed, and the still more dreadful consequences that might have followed. I suffered in my own person; I suffered most seriously; that I do not regard. I was placed in solitary confinement; I was assailed even while in custody, with the most violent blows; and being immured for eleven days, while endeavours were making to trump up a charge of high treason, I demanded that the warrant under which I was detained might be shewn me; it was refused; I frequently asked for it, but it was not produced. At length it turned out that the charge against me amounted only to a misdemeanour; a bailable offence, Gentlemen of the Jury. I offered bail; two most respectable men, a Mr. Grundy and a Mr. Chapman, the former an independent man, a person of the highest respectability; it was refused; I was hurried down to Lancaster, and confined unnecessarily for 24 hours. Whatever were my sufferings, had they been ten times greater, had I undergone the worst that malice and persecution could inflict, it shall never deprive me of the satisfaction I feel at having done my duty, at not having acted in such a way as must have placed the people of Manchester in such a situation that they could not now have me making their defence as I do. I can bring forward witnesses who shall prove to you, that during the week I remained at Johnson's, I never went two miles beyond the house, though I had many invitations from various gentlemen of respectability in the neighbourhood. If I went neither to Middleton, to Rochdale, to Bury, or any other part of the neighbourhood of Manchester from which the various divisions were said to have marched on the 16th, how can it be said, how is it possible for any twelve men to say that I was, during all that time, arranging the ramifications of this great conspiracy? Another circumstance that proves most clearly the innocence of my intentions is this:—On the Saturday previous to the meeting, I got intelligence that a warrant was issued for my

apprehension; I went to the Magistrates of Manchester; I informed them it had come to my knowledge that a warrant had been granted for some offence, or supposed offence; the overturning, as I heard, of a woman with a basket of eggs by some persons. I was told that there was no warrant against me; Mr. Nadin was called; the question was put to him; he said there was no warrant against me, no intention of issuing it. I mentioned that the information was brought to me by one of the Police, and the answer was, who is it? Tell us his name, that he may be punished. Upon hearing that there was an intention of apprehending me, a friend of mine, a man of opulence and respectability, went to the office, and avowed his readiness to give bail. He was informed that there was no such thing, no such intention, nor any ground for it. Did I not, by acting in this manner, treat the Magistrates with respect? Did this shew any disposition to insubordination, any wish to disturb the public peace? Did I not, on the contrary, by thus acting, give proof of the manner in which I was disposed to treat the Authorities? I have been for many years an extensive farmer, occupying large portions of land, engaged in a variety of business, in the course of which, whenever an occasion arose, a Magistrate had nothing more to do then send me a note, and I always attended. Was this to treat the Authorities with disrespect? I could not shew them greater respect than by going immediately when I heard there was any charge against me, inquiring what the nature of it was, and professing my readiness either to give bail, or to act in any way most conducive to the ends of peace and justice. Is such conduct a proof how I would treat the Authorities? Yet, it is a strong proof in my favour. What did I do after the meeting appointed for the 9th was prevented? I confess, that circumstance occasioned great agitation; it produced a strong impression in Manchester and the neighbourhood, but did I leave the neighbourhood upon this occasion? Did I fly to avoid any inconvenience that might arise? No, I remained; and mark, Gentlemen of the Jury, this was imputed to me as a crime. I remained, and for what purpose? I shall prove it by undeniable evidence, that I stopped to do every thing in my power, to exert all the influence I possessed, for quieting the minds who were irritated, on finding that the meeting of the 9th was prevented. This I shall shew, as well from the advice I directed by letter to the people, as from oral testimony.

[Here Mr. Hunt read from some newspaper an address to the people of Manchester, exhorting them to peace and order,

and calling on the magistrates to set them right if they were in error.]

This is the way in which I treated the authorities. I invited them, I begged of them to come among the people when they assembled, to watch their proceedings, to see whether any thing improper was said or done, to instruct them if they were wrong. I can now, after all that has occurred, lay my hand to my heart, and say, with pride and pleasure, that there is nothing connected with the meeting of the 16th for which I feel a moment's regret or remorse, except that which ensued from the violence with which it was dispersed. You, Gentlemen of the Jury, have heard the evidence of many persons, some of them, no doubt, honourable men, stating that they felt alarm. One of them, a Clergyman, Dr. Smith, did, however, under the influence of such a feeling, one of the most extraordinary things that could be easily conceived; a thing which, I imagine, must prove to the mind of any unprejudiced person, that his alarm could not have been very great. After Mr. Phillips and others had given in their depositions as to the fears they felt for the public peace, Dr. Smith sends home to their friends, through the streets of Manchester, the children under his care. Had he felt any apprehension of serious danger; if there was any likelihood of hostile invasion, any fear that they must encounter, on their way home, such difficulties as might have rendered it, I will not say perilous, but even greatly inconvenient, was it natural to suppose that he would allow them to go into the streets, to encounter the hazards of a mob, or to mingle with the atrocities they might commit? Some of the witnesses were intelligent and respectable. It will be my business to produce witnesses equally respectable, equally intelligent, and perhaps equally nervous, who shall prove to you, that upon this occasion, they felt no alarm at all. I now come to Jonathan Andrews, with his large sticks, mounted on the shoulder, like muskets. He and Mr. Hulton were the only persons who deposed to this circumstance of the sticks. Andrews spoke particularly of the Lees division, consisting, he said, of 3000 most of whom had sticks four feet and a half long, which they bore upon their shoulders. Next came Joseph Travers, who was, it would appear, appointed to count this division. He said that he felt no alarm, and he did not speak a single word about the sticks being shouldered. As to Jonathan Andrews, he is an opulent man, in a respectable situation; no person could suspect him of misrepresentation; what he said, however, with regard to the sticks, the black flag, and the party that bore it, was contradicted by every other wit-

ness. I shall therefore say no more about him. As to the last gentleman, connected with *The New Times*, who gave evidence upon the present occasion, it is not necessary to say much about him. He was called only for the purpose of proving a fact; but Gentlemen, you will please to observe, that he proved his having attended meetings at which I either presided or was present; that he never heard me urge to violence or breach of the peace; that nothing of the kind ever occurred upon any of these occasions. You saw the manner in which the other gentleman connected with that paper gave his testimony, and I beg of you to attend to the way in which the account of this transaction came before the public. It was first sent home by the reporter, and then manufactured or doctored just as the Editor pleased. I hope this sort of testimony will have but little effect upon your minds. I shall prove to you by another reporter, who was present merely by accident, to whom I was utterly unknown, whom I never saw before that day, that the representations made by other reporters are in many particulars totally false. I shall shew you, by testimony of which you can entertain no reasonable doubt, that the motives assigned for locking arms and removing the hustings are completely unfounded. You will see that Jones was employed to erect, with the assistance of two carts, the best and most convenient hustings he could. I will distinctly shew, that at a former meeting, in consequence of the pressure round the hustings, they were broken down, that much mischief ensued in consequence, and that the only object they had in locking arms was to preclude the recurrence of similar accidents, not, as was stated, to prevent cavalry or corruption from coming in; for me, I declare, I never saw or suspected any thing of the constables. I had no idea that they meant to arrest any person present, not the slightest suspicion that there would be the least tumult or disorder of any kind. I can prove that neither at the time I arrived on the field, nor before it, did I entertain any suspicion that the military would act. It never entered my head, I can prove. I can prove that a few of those who surrounded the hustings were locked together, except at that part where an approach was opened for the constables. There was at the back a body of constables, from the public-house, called the Windmill, up to the hustings. They kept a free passage, and there also it can be proved, that there was no locking of arms in such a way as could interrupt them in their approach. They passed easily up and down; I can prove, that any number of constables, however small,

one, two, or three, might come up, and arrest whom they pleased without the smallest difficulty. They could come, at farthest, within 15 yards of the hustings, and any intimation of their intention communicated to me would prevent further trouble. Had I known that there was a warrant in existence, I should, without the least hesitation, have acted in such a manner as to prevent the dreadful consequences that followed. Mr. Hulton deposed, that he saw the first of the military who advanced, assailed with stones and brick-bats; that he observed sticks waved in the air to resist the approach of those 50 drunken soldiers, who were sent forward for no other purpose than to provoke the multitude, to trample women and children under foot. It can be proved they were seen, with their eyes closed, cutting at all those around them. If I can bring forward men of the highest respectability, totally differing in politics, men who were as near to the hustings as I am to you, Gentlemen, who saw every thing that occurred, my word is not worth a farthing, unless they prove that not one brick-bat, not one stone was thrown; unless they prove, as I stated, that the military cut to the right and left without any such provocation. They were even observed urging on their horses to jump over the heaps of unfortunate beings that were lying before them, and to force a way through a solid mass of poor wretches that were desirous to escape, but had it not in their power.

Mr. Scarlett submitted that the conduct of the cavalry formed no part of the case.

Mr. HUNT thought he had a right to allow the meeting was peaceable until the cavalry began to act, and that they were the aggressors.

Mr. Justice BAYLEY—I cannot allow you to call evidence as to the conduct of the cavalry, as it forms no part of the case at present. You may bring evidence to prove the quiet disposition of the people.

Mr. HUNT—After the observation which has fallen from the Learned Judge, I shall not endeavour to proceed with the detail of those horrible proceedings. I shall confine myself as much as possible to the direct case before you; and although I am free to admit that I will at all times most willingly listen to any admonition from the Court, yet that I will as boldly assert any thing that is likely to strengthen my case. I ought to apologise to you, Gentlemen, and his Lordship, for the indulgence you have shewn me in the course of this day, and the attention which you have exhibited to the evidence produced before you. I hope you will not think that I am trespassing upon you with any light or trivial cir-

cumstances, or that I have introduced any irrelevant matter. I will, however, trouble you with a few other observations. The Learned Counsel, in his opening speech, in describing the transactions at Middleton, stated, that Bamford was seen at the head of 1000 men, who bore all the appearance of a military body; but where is the proof of this assertion? Had they any pick-axes, battle-axes, or fire-arms? Had they any dark lanterns, or combustible matter? A few sticks, I understand, have been brought to York from Manchester, that were said to be taken from the field. But why are they not produced? If they had done so, there might have been some pretexts for the Learned Counsel's asserting it; it would have produced a conviction on the minds of the Jury, that such had been brought and used; not one of the flags with their seditious and inflammatory inscriptions; not one of the revolutionary emblems, as they are called by the Reporter of *The New Times*, have been produced, and yet they are in the possession of the prosecutors. Where is the black flag, that emblem on which so much stress has been laid? They have been all taken from us, and we were most anxious that the latter should be produced. I shall lay before you, Gentlemen, a model of the flag; I will produce to you the person who bought the calico; I will produce to you the person who painted it, and he shall state to you, that he painted the inscription on it while white, but finding that the letters shewed through, and disfigured the others, the mottoes being written on both sides the flag, he found the only alternative was by painting the flag one colour, and the letters another, and such was the reason why this flag was painted black; but I conceive the colour is of little or no importance. A black flag, I believe, is the colour of a pilot's flag, as a warning to all the world, and could any harm be construed from that? The motto, I allow, may be tortured into any thing, but I will tell you, Gentlemen, that "Equal Representation or Death," as used in this instance, did not mean that they would have it, or death, but it meant that unless they had equal representation starvation was already on their heels, and death must ensue. How did it happen that in the statement of these mottoes, the Learned Counsel had not the candour to tell them that one of the banners represented Justice, holding in one hand her scales and the other empty?—If Justice had been represented in her proper form, with scales in one hand and the sword in the other, that would immediately have been seized hold of, and painted to the Jury as a crime of a black and heinous nature. As to the caps of liberty, look, I say Gentlemen, at the emblem on your own Hall; there is re-

presented the cap of liberty and the Roman fasces. Are these emblems of Revolution? If I understand the meaning of a cap of liberty, it is an emblem of a most sacred nature In Rome, when a slave had performed any great act for the benefit of his country, he was usually rewarded with a cap, to signify his freedom, which was the gift for such act, and he wore his cap, to signify his freedom, which was the gift for such act, and he wore his cap among the freemen, as an emblem of his emancipation. The rewards given by our Saxon forefathers were of a different nature; they were rewarded with a sword and a spear. How then could the representing of these emblems be considered of a revolutionary nature? Ancient custom had handed them down to us a sacred trust. The people of Yorkshire had thought so, by placing them on the front of their hall; and surely what was considered a pride in Yorkshire, could not be esteemed a crime in Lancashire; if so, where were the boasted rights of Englishmen? I only contend for those fair rights and liberties, which are the birth-rights of Britons; I agree with the Poet, who says,—

> "He who contends for freedom
> Can ne'er be deemed his Sovereign's foe."

In asserting that right of freedom, I have done nothing that indicated any desire to destroy the Constitution or the Executive Authorities; I have used my humble endeavours in the sacred cause of my country's welfare, and will still continue to exert them to the utmost of my ability. As to the subject of Reform, when he had agitated that question, we were told that it was confusion and disorder that we were seeking; the doctrines of annual parliaments and universal Suffrage were ridiculed as wild and visionary; but I assert that every Englishman has a right to demand what we ask; we don't want equal representation of property, but an equal representation of right; what we demand is, that we may not be taxed beyond a fair proportion to the produce of the labour, and that in the imposing such taxes we may have a voice by our own Representatives in the Legislature, chosen from the free voice of the people, and who will attend to the fair rights of the people. I have for the last ten years been a public advocate for these principles, during which time I have been most scandalously vilified and calumniated; I have been stigmatised as an itinerant Orator, and by none more so than the employer of one of the witnesses produced against me—I mean Dr. Stoddart.

Mr. Justice Bayley here said—Mr. Hunt, Dr. Stoddart is not in the cause.

Mr. Hunt continued—You must all recollect, Gentlemen of the Jury, those worthy men who spent an age in going about, endeavouring effectually to abolish that horrible system, the Black Slave Trade. I mean their once worthy Representative Mr. Wilberforce, and many others. I have never heard it attributed to them that they were guilty of crime, and why should it be imputed to me? If I am wrong, shew me how I am so, and endeavour to set me right, but don't construe my error into crime. I am pursuing those principles which will not suffer a man to be dragged from his bed, wife, or home, and sent to fight for his country, without his having some voice in that Legislature which enacts the laws by which he is thus dragged from his domestic felicity and retirement. I advocate those principles which were so strenously pursued by those patriotic Statemen the Duke of Richmond, Sir William Jones, and several others. The Duke of Richmond's exertions were crowned by the highly-merited reward of his country, he was in consequence created Master of Ordnance.

Here the Learned Judge again reminded Mr. Hunt that he was travelling from the question, and that this could not be received in evidence. Mr. Hunt bowed and thus continued: In 1817 I was called upon by some very respectable individuals to attend a public meeting at Spafields. I knew nothing of the persons so requesting me, but I felt myself bound to attend their call. At this meeting Resolutions were adopted, and petitions agreed to, one to the Prince Regent, and the other to the Commons House of Parliament. It fell to my lot to have the honour of presenting the one to his Royal Highness the Prince Regent through the medium of the Secretary of State, and the other to the House of Commons. The venal and corrupt press in its invectives has branded uswith vulgarity, and accused us of being illiterate. The progress of these petitions falsified those most false assertions; they were received by the House of Commons, read and ordered to be laid on the Table. The Habeas Corpus Act was suspended in order to prevent the people from meeting; when that was renewed, a Bill was brought in to prevent their meeting but on certain conditions, namely, that no meeting should be held within one mile of Palace yard during the Sessions of Parliament, or while the Courts of Law were sitting. Meetings, however, where still held at distant parts, and without declaring their illegality, until the late Bills passed, which entirely put an end to all public meetings. "Mr. Hunt here read extracts from Lord Sidmouth's speech on the Seditious Meetings' Bill, which he

styled as no mean authority, although his Lordship was not a lawyer. Among other things, he called upon the House to adopt some measures for the suppression of multitudinous meetings; that it was impossible to secure the Constitution from inroads without entirely putting them down, and further stated, that under the law as it now stood, there was no provision against meetings convened under the most alarming symptoms, bearing banners and flags, and accompanied by bands of music, &c. There, said Mr. Hunt, I agree with his Lordship, I join issue with him, and wish to impress on your minds, Gentlemen, the nature of the observation; it affords you a criterion by which to direct your verdict—it decidedly shows that the meeting was legal, and that at the time it took place there was no law which made it otherwise. You have not to give a verdict which shall have the effect of putting down meetings of this sort, that is already done. It might certainly be an inducement in the minds of many honest men, to give a verdict which should act as an example in future, but here none was wanted, the possibility of meeting under such circumstances was entirely taken away, and you have only to try the great question, whether or not the laws of the country have been offended. Mr. Hulton has told you, in his evidence, that he thought it proper in this case, to make an example of the ringleaders; the people were deluded by them, and it was owing to their vile machinations alone that they were induced to attend these meetings. Now, Gentlemen, I shall have the gratification of placing some of these deluded men before you in the witness-box, and I think you will find they are not quite so illiterate as the Hogarth's eleven days' men, mentioned by Mr. Scarlett. (Mr. Hunt again read extracts from Lord Harrowby's speech on the subject of the Seditious Meetings Bill, in which he declared the right of persons to meet and discuss grievances was admitted, and that there was no Statute against it.) Indeed, said Mr. Hunt, his Majesty's Ministers were of opinion that the law was not sufficient, and had in consequence enacted fresh ones. I will just refer you to some observations of one of the Law Officers of the Crown, I mean Mr. Warren, the Chief Justice of Chester.—In describing the Manchester Meeting he says, that among the banners, one bore a figure representing a woman, bearing a bloody dagger. This had been echoed also in the opening speech of Mr. Scarlett; I have made all the inquiries human head can divine, I have sent to the persons painting, carrying, and making, the banners for the 16th of August, I have ap-

plied to every one I know was there, and cannot obtain the least information of it; but hearing Mr. Scarlett mention it, I thought we should certainly be provided with some proof; and what must the Jury think in the absence of such proof? It was a circumstance which is calculated to prejudice my case most seriously with you, and is contained in the most eloquent part of the Counsel's speech; what, I again say, can you think, Gentlemen, of such conduct? It could be only done, and Mr. Scarlett knows it was done for no other motive, than to connect me with blasphemy and assassination, and with that detestable plot lately discovered in London, when the Counsel well knows, that I was singled out as one of their victims. I firmly believed that this dagger never existed but in the tortured and fevered brains of Mr. Scarlett and Mr. Warren. Mr. Hunt was here proceeding to read a paper, which had been circulated in the town, not sold, but given away, containing the substance of Mr. Scarlett's speech on the subject of this dagger; but the Learned Judge again interrupted him, and said, that if the papers had been improperly circulated, the person doing it would be subject to future punishment; he could not suffer it to be produced; indeed the Jury by their oaths, were bound not to hear it. Mr. Hunt, after stating to the Jury that they were circulated with the most malicious motives, and with a view to prejudice him in the minds of the Jury, concluded to the following effect. Having said thus much, I think I should not discharge my duty to you, Gentlemen of the Jury, and his Lordship, did I not return my sincere thanks for the attention you have shewn me; and I hope, it, through the immense mass of evidence produced, I have omitted any important observations, that they will not be lost on you.—Indeed, I cannot contemplate that twelve men of your stamp and condition could, even if selected as the organs of corruption, entertain this question, and make up your minds to return a verdict of guilty. I take to myself the whole merit of bringing this case before you; I sought you with confidence, and now leave my case with you with equal confidence; even if I could obtain a fair Jury in Lancashire, I feel such conscientious satisfaction in my course, that I would willingly have it left to them, but when it was probable that Mr. Hulton himself, or some of the yeomanry, without affording me a fair pretext to challenge them, might be called on the Jury—it would have been, indeed, sacrificing my own interest in submitting to it. A trial in Lancashire, under such circumstances, was synonymous with a verdict

of guilty. He was about to pass some personal observations on Mr. Hulton, when the Learned Judge again stopped him, by observing, "that Mr. Hulton's was a situation of a very distressing and serious nature." Mr. Hunt continued—as Mr. Hulton's evidence is totally unconfirmed by any witness, even a police officer, and with all its contradictions, formed a material part of the case, I shall be able fully, by unquestionable evidence, to disprove every word he has said, I hope, to your entire satisfaction. As respects the banners and training, I have already told you the nature of the evidence I intend to produce; with respect to the music, it shall be shewn you, that the greater part of the persons employed have been in the habit of playing in churches, and that the tunes they played were of the most loyal character. I know the Learned Counsel has the opportunity of reply; I won't give him more credit than his talent deserves. I know he possesses great influence here; but I conjure you not to be led away by his eloquence, and before you pay any attention to his observations, let him produce testimony to corroborate what Mr. Hulton has advanced, and let him explain what he meant by the dagger.

Mr. Hunt said, that Wylde who had not yet made his defence, was very ill, and that he declined addressing the Court.

The following witnesses were then called;

EDMUND GRUNDY *sworn*. *Examined by Mr. Hunt.*

I am not in any business. I live at Billsworth, near Bury, in Lancashire. I was a calico printer, but have retired from business. I have not made any depositions. On Tuesday, the 10th of August, I was at Smedley Cottage. I saw you there. I recollect a conversation relative to the then approaching meeting. You said you were returning home immediately. I endeavoured to prevail upon you to stop till the meeting of the 16th took place. You said, you would consider of it. I think I left you then. Nothing positive was decided on at the time. I left a printed letter for you on the next day (Wednesday). I next saw you on Saturday, the 14th of August, at Smedley Cottage. I recollect communicating to you that there was a report of a warrant being out against you, and you said it was so. In the course of the day I waited on Mr. Norris the Magistrate, in company with Johnson, the defendant. Mr. Norris is, I understand, the Chief acting Magistrate. I told him if there was any charge against Mr. Hunt, I would put in bail for any time which he chose to appoint. Mr. Norris said there was no information

or warrant against you, nor any intention of issuing one. I reside about seven miles and a half from Manchester; I was not in Manchester on the 16th of August; I saw some persons going there, but not so many as is represented to have gone. I saw no persons armed. I have property in the neighbourhood, but nothing which occurred that day inspired me with any fears for its safety. I have several relatives and friends residing in Manchester. I saw nothing on that day, which gave me any apprehensions for their safety.

Cross-examined by Mr. Scarlett.

I was not in Court to day before. I knew Mr. Hunt about twelve months since. I dined at the Spread Eagle in his company. I saw no one with Mr. Hunt at Smedley Cottage on the 10th, but Mr. Howard, who went with me. I went to pay him a visit, but did not remain long. I only knew from general report that he was there. I saw a letter posted up in the town. I was subsequently his bail.

JAMES DYSON *sworn. Examined by Mr. Bamford.*

I am a weaver, and reside at Middleton. I was on the Barrowfield on the 16th August last, between nine and te o'clock in the morning. There were 600 or 700 people, both men, women, and children; I saw you there; you were walking about when first I saw you. I did not hear you say any thing until you got upon a chair and addressed the people; you said, "Friends and neighbours—those of you who wish to join in the procession will endeavour to conduct yourselves orderly and peaceably, so that you may go as comfortable as possible. If any person insult you or give you offence, take no notice of them. I make no doubt but there will be persons who will make it their business to go about in order to disturb the peace of the meeting. If you should meet with any such, endeavour to keep them as quiet as possible; if they strike you, don't strike them again, for it would serve as a pretext for dispersing the meeting. If the peace officers come to arrest me, or any other person, offer them no resistance, but suffer them to take us quietly. And when you get there endeavour so keep yourselves as select as possible, with your banners in your centre; so that if any of you should straggle or get away, you will know where to find each other by seeing your banners, and when the meeting is dissolved keep close to your banners, and leave the town as soon as possible. For if you should stay drinking or loitering in the streets, your enemies might take advantage of it; and if they could raise a disturbance, you would be taken to

the New Bailey." That is as much as I recollect; it is, to the best of my knowledge, the substance of what you said. I think I recollect something of your saying, "I believe there will be no disturbance." I neither expected or believed from the tenor of your address, that any disturbance would ensue on the return of the party. I saw some few with sticks, but none with those who were not in the habit of using them. I thought to take a stick myself, having experienced the fatigue before, but I was prevented. I took one to Barrowfields, and there I lent it to a man named John Barlow, who was also going to Manchester. The procession had not gone more than a quarter of a mile before he returned it to me again; and this being observed, several cried out, "No sticks shall go with us." They said it had been agreed that no sticks should go. I said one stick could not make much difference; and they said I was as well able to go as they were, and I must leave it behind, and so I sent it home with my father-in-law. I went to Manchester with the procession. I saw nothing on the way but peace and good order. We walked four abreast. There was no disagreement on the way. Saw no insult offered to any one; there were some jeering words used, but nothing worth notice; they were used to the by-standers who were looking on. We went in this order to Petersfield. You led the party up, and got upon the hustings yourself. This was before Mr. Hunt's arrival; I saw him arrive. You were then standing near me, about forty yards from the hustings. You did not go upon the hustings afterwards to my knowledge. When Mr. Hunt arrived I removed about 15 yards from the hustings, and I saw you no more that day. I did not see you upon the hustings after that period.

Cross-examined by Serjeant Hullock.—I can't tell where Bamford went after I left him. We were not joined by any party before we left the ground. The Rochdale people passed us, but we met and joined with them in the town. About half the meeting were men. I cannot exactly say how many persons joined in the procession—perhaps 1,000. Some persons had laurel. I had none. I know not whether those who wore laurel were officers; those who were in front wore it. There was no one in particular to give the word of command. I don't know that Bamford was Commander-in-Chief on that day. I was not a Serjeant. There were men by the side to keep order, and when the step was lost it was recovered again by their calling out, "Left—Right." When we met the Rochdale party, they fell in behind us. I do not know how many persons were in the

Rochdale procession. Perhaps there was not much difference between their numbers and ours. It was said to be agreed upon that no sticks should go. We had two banners that day, one of which was left on St. Peter's-field. Upon a green flag we had the words "Parliaments Annual"—"Suffrage Universal." Upon a blue one we had "Liberty and Fraternity"—"Unity and Strength." We never had been mustered before to my knowledge. On a Sunday morning, a few weeks before, a party of Middleton people marched down through the town, and I went by the side of them. After going through the town they dispersed. It was said they had assembled on the Tandel Hill. It was after six o'clock when I met them. They were not all Middleton people. I might have remained near an hour on the hill, looking at what was going forward. There were several men drilling, as it is called. I never was drilled in my life. I marched to Manchester as others did. Bamford was not present on that day. There was 2000 or 3000 persons assembled. I think this was on the Sunday week before the meeting of the 16th; but I will not swear it. There were women and children present. The women were not drilling. I never saw a drilling party before. The Rochdale party had banners, but I do not recollect the inscriptions upon them. We did not go from Middleton to St. Peter's-field by the nearest road. I do not know the reason why we went round. We had music on that day; we had a drum; they do not use it in church music unless at oratorios. We have sacred music sometimes in church, at Middleton; we also have bassoons and clarionets, &c. occasionally on Sundays. The bassoon, in our party, belonged to the man who played it; the drum belonged to a man who keeps a farm. We left Middleton about 10 o'clock. On arriving at St. Peter's-field, I saw many flags and banners on the hustings; ours were taken to the hustings, but Mr. Bamford ordered them back again; we joined the other parties on the ground; our line was broken, and every man went where he liked. I never heard Mr. Hunt speak before that day. I was not at the meeting in January. I did not write down Mr. Bamford's speech; I took it from memory; I suppose it has been in my head ever since I made a deposition to Mr. Pearson, and I then saw it.

Mr. Serjeant Hullock.—How long is it since you saw your deposition?

Witness.—How long? Why you seem to want to know the time particularly. I saw it about the middle of the week before last, at Samuel Bamford's house. After the

words, "If they strike you, don't strike again," were the words, "for it would serve as a pretext for dispersing the meeting."

Mr. Serjeant Hullock—Go on.

Witness—Must I go on?

Mr. Serjeant Hullock—Yes; you seem to have forgotten it. You had better begin again.

Witness—No, no; but you seem to hurry one on like. [Witness went on to repeat the speech, nearly in the same words as before; but not precisely in the same order as before.]—I cannot exactly recollect the words Bamford put to me.

Re-examined by Mr. Bamford.—I know Thomas Ogden, a musician; he did play in church, but I don't know whether he does so at present. I know Thos. Fitton: he and Ogden played with our party.

To questions by the Judge.—My wife did not go with me on that day, but the wives of several of the party accompanied their husbands. There were several hundreds of women with our party and the Rochdale party, I saw many of them in Manchester; several boys also accompanied us, I saw several on the ground that I knew; I saw no Middleton women on St. Peter's-field that I recollect: it appeared that the women did not wish to press so far into the crowd as I did; the women who accompanied us were relations of the men who marched in the procession. It is customary at our *wakes* and *rush-carts* in Lancashire to have banners and music; the rush carts are held of a Saturday, and on the following Monday the men walk in procession, but they do not keep the step.

Mr. Justice Bayley asked an explanation of the term *rush-carts?*

Mr. Bamford said, that it is an annual custom to have a cart on which rushes are neatly placed; this cart is drawn by young men decorated with ribbons, and preceded by young women, music, &c.

JOHN BARLOW, sworn—Examined by Mr. Bamford.

I am a weaver residing at Middleton; I am a married man; I recollect the people assembling in the Barrowfields on the 16th of August, you addressed them. You commenced by calling them, "friends and neighbours."—(The only difference between this witness and last, respecting Bamford's speech, was, that the latter heard him (Bamford) exhort the people to proceed to Manchester as in the performance of a solemn duty.) I went to the meeting with you. I saw no

one insulted by the way, nor on St. Peter's-field. I saw you on the ground, when we got in the field you went upon the hustings, remained there about five minutes, and then came down again and stood not far from me, opening an avenue between the people. I saw Mr. Hunt arrive, at that time you were not upon the hustings; you stood near me, you were not upon the hustings while Mr. Hunt remained. I stood at about fifty yards from the hustings. The Middleton party had two banners.

Cross examined by Mr. Serjeant Cross.

I have no knowledge of any Committee. We did not meet the day before the meeting of the 16th. I had no connection with any meeting. I had nothing to do with the Oldham party before that day. I was once on the Tandel Hill—it was on the Sunday but one before the meeting. I went there between six and seven in the morning. There might be 600 or 800 persons present, or perhaps more. They were what I call being in companies when I saw them, possibly about 30 in each company. I do not know how many companies there were. I do not think there were 100 companies, perhaps there might have been 80. Those who passed me had companies. I heard the words "march" and "halt." I waited until they were dismissed, which was about eight o'clock. Before that they were all in one line, and stood two deep. I do not know who gave the command when they formed in line. I did not know any of the leaders. I do not not know whether the man who gave the command was in our party to Manchester on the 16th. I heard of drilling and I went to Tandel Hill out of curiosty. I rather doubted that there was any drilling before I saw it. They had no sticks. I have been in the Local Militia, and have seen soldiers drilled. The drilling there was the same as marching and halting. I did not see much countermarching. I fell into the ranks at Middleton. I cannot say who the man was that formed the hollow square. I have never seen him since. When the word of command was given, I had no occasion to move. I heard from rumour that there was to be a muster on the Barrowfields on the 16th. I live there. I saw Bamford before. I saw him mount the chair, and tell us how to conduct ourselves. I do not know that he assumed the command; those who were not commanders got laurel, as well as those who were. I got none. Those who went to the chair got some. We got no instructions from any one but Bamford. The man by whom the square was formed, did not mount the chair. I

took no notice of him. I do not know who formed us into line again. I understood that we were to meet several other divisions at Manchester. I do not recollect Bamford's saying, that if there was to be any thing to do, it would be after we got back. He cautioned us against going into public-houses. I did not take my wife with me. I must have gone to Manchester on an errand, even had there been no procession on that day. We halted at Harbour Hay, and after that we did not halt till we got upon the ground. We joined those whom we found there, and remained stationary.

Re-examined by Mr. Bamford.—Barrowfield is a public place. There were 200 or 300 women and children standing by as spectators on the morning of the 16th. There were many spectators on Tandell-hill. The training was quite public. There appeared to be no secrecy. As we came back from itwecame by the high road. The people who were on the hill marched through Middleton. We proceeded a mile and a half at least on the pubiic highway. It was between eight or nine in the morning, There were many women and children attending the party to Manchester on the 16th. I knew some of them to be related to persons in the procession; it seemed to be a pleasure to them. I never before appeared in a Court of Justice to give evidence.

To questions by the Judge—I did not see any of the women in Manchester, but I saw them near the town. I had no thoughts about taking my wife there; she had something to do at home. She did not express a wish to go.

Wm. Kendall examined.—Before I quitted my house I left my wife and child there with my son at home. I saw nothing particular in the movements of the people, except their passing to and fro. I saw no bludgeons among them, but a few old persons walking with common walking-sticks. I saw them from an eminence, from which I could watch them. They went on with a deal of women and children, and seemed very joyful. I saw no symptoms of alarm on the road. I am no Reformer. I don't profess to be one of any political knowledge, though I am a member of the Loyal Orange.

Cross-examined by *Mr. Littledale.*—I knew a good many of them; they were doing no harm at Middleton, and marched off regular. Women, some by the side of them, and others after them, joined in the procession.

James Frankland, sworn,—examined by *S. Bamford.*—I reside in Middleton, and am a clogger and leather-cutter, and farm a little by keeping a few cows. I have eight chil-

dren and a wife. I remember the people assembling in Middleton on the 16th of August, and afterwards going on. I looked after them. They were on the way to Manchester. I heard the substance of what you said, which was, that they would be conducted to Manchester in a body as they were, and when they got to the place where the meeting was to be held, they would remain in a company by themselves, and not intermix with others, and return in a body also when this meeting was over, without straggling in the multitude. You also recommended them not to mind any insult, nor be induced to resent it, if offered. The people were all quite peaceable. I do not belong to any body of Reformers, nor did I go to Manchester with the procession, though I had a son 18 years of age who went. I knew of his going, and gave no orders to prevent him. I believe he marched in the procession, and did not apprehend any danger or riot, or I should not have allowed him to go.

Cross-examined by *Mr. Scarlett*.—I know Mr. Bamford for a great many years, but I did not know who was to take the command of the party. My son did not tell me he was to go. I saw him in the procession, and it was mentioned in the family he meant to go. There have been several public meetings of the Reformers in our neighbourhood, but my son is not one of them. I know nothing of private meetings. I don't know whether my son took either refreshment or money in his pockets for the march to Manchester.

John Turner sworn, a tailor and draper at Middleton,—examined by *Mr. Bamford*.—Recollected the procession there on the morning of the 16th of August, and its music and banners. He saw a number of women and children among them. I saw no large sticks, but a few old men carried their common walking-sticks. I was no ways alarmed while they passed, as I had no occasion to be alarmed. I saw none drunk or riotous. I am not a Reformer. I gave never a penny to the concern, nor ever did I see Mr. Hunt in my life, unless I see him in this Court, and yet I don't know him. I felt no alarm for Manchester by any means.

Mr. Serjeant HULLOCK—Well, then, you have had the pleasure of seeing Mr. Hunt by coming to York.

Mary Lees said, she resided at Middleton, and had five children. Her husband was a plumber and glazier. Recollected the procession passing her house on the 16th August. She was then standing with her children at the door, and was afterwards assisting the mistress of the public-house opposite in filling liquor for a great many who called as they passed. They all seemed quiet and cheerful. They paid

for what they got. These people came from Rochdale, with a great number of women, both young and old. I heard them drink several toasts, and among the rest "God save the King," which, though not a common toast, is made use of by the country people. I saw many of the people return in the evening, while I was again called upon to assist at the public-house. They many of them burst into tears, and others remained silent.

Cross-examined.—"God save the King" was not a common toast. "Hunt for ever!" was often heard; but she did not know whether this was good or bad.

In answer to questions from the Court. she said she saw Middleton women go with the procession, and return back again in the evening. She did not know whether they were relatives of the men who went, but they (the women) were persons of good character.

Elizabeth Sheppard sworn.—Examined by Mr. Bamford.

I live at Middleton. I am 15 years of age, and am the daughter of a publican. I live with John Buckley now. I went to Manchester on the 16th of August. I went with Ellis Hulton, of my own age. I went in the ranks with women. There were many from Middleton. I walked before the men. I heard no singing. I saw Bamford's wife on the way. She went all the way. I saw at her Manchester on St. Peter's-field. I was close to the hustings. Bamford's wife was about two yards off when I saw her: my mother did not know of my going.

Examined by Mr. Sergeant Cross.

I know nothing about a meeting of female reformers that morning: nobody desired me to go to Manchester: I went with the procession a little and a little farther till I came to Manchester: I marched with women. Bamford's wife was in the first rank, and myself in the second. I never heard any body say all must go that can to-day.

Mary Yates sworn.—I have six children: I went to Manchester on the 16th of August: I walked before the men: there were a great many women. There were children—many of other people's, but none of mine. I saw Bamford's wife on the way. We walked arm-and-arm together. I recollect no songs. I saw Mrs. Bamford at Manchester. We stood a considerable distance, 20 yards, behind the hustings. We remained on the ground between a quarter and half an hour before Mr. Hunt came. Mrs. Bamford retired before Mr. Hunt arrived, as she could not bear the pressure.

I remained and heard Mr. Hunt, but could not tell the words. Mr. Hunt, when the soldiers were coming, took off his hat, and desired the people to give them three cheers. I heard no hiss or groan at the soldiers. I joined in the cheers. I was not the least alarmed, and gave cheers myself, thinking they were to protect us. I saw no clubs or cudgels brandished at the soldiers. I thought they were coming as friends. There were many women in the crowd. I moved from my situation when the soldiers came. I saw no resistance to the soldiers from the first to the last. We all moved on the approach of the soldiers. I fell down among the people, and remained some time. My husband was on the field.

Cross-examined by *Mr. Scarlett.*—I thought the soldiers were come to calm the uneasiness that might arise by the presence of so many people. I heard the words, "Give them three cheers!" The noise made was a shout of rejoicing; I huzzaed as well as the rest. We were all very comfortable together. The women sometimes shouted as well as the men. We walked sometimes three a-breast, and sometimes more. I would not have gone if I expected to see such a sight. Mrs. Bamford went also. She was going when I came to her. I do not belong to any society of Female Reformers. If one should be made, very likely I shall be one. I don't know of any Female Reform Society in Manchester.

By the Court.—I would not have gone to the meeting if I thought there was any danger.

This woman's evidence closed the business of the day, and at nearly 7 o'clock the Court adjourned till 9 o'clock.

SIXTH DAY.

At 9 o'clock the Judge, and some of the parties, entered the Court. The Jury was called over, and one of them, an infirm elderly gentleman, not at first appearing to his name, the Court delayed proceedings for him. He mentioned on his return that he had been exceedingly indisposed.

William Elson sworn, was the first witness called.—I reside at Chatterton. I am a farmer. I was at Middleton on the 16th of August; there was a great assembly of people there; many women and children among them. I saw no

bludgeons, only walking-sticks in the hands of the old people. Bamford addressed the meeting. I recollect what he said. He got up on a chair, and advised the people, whatever was done on that day, to be peaceable, and not to molest any person upon the road, nor at the place where the meeting was to be held. He was well aware that there would be bad persons among them, and desired them to take care of them. If any person insult you, said he, show no resistance whatever; and if any person offered to come to take him, or any of those who are called leaders, never let it disturb you. Let them take us, said Bamford, for what we have in view is a reform, and let us pursue it peaceably. Soon after that, he broke pieces of laurel, and gave a number of men each a piece to hold in their hand, and charged them if they saw any thing amiss among the people, to order them to be peaceable. I went with the meeting, accompanied by 3 children of mine, 2 boys and a girl. I did not join the procession, except in narrow places, where I could not keep out of it. My daughter is 17 years of age, my sons 14 and 13. I went to Manchester, and was on St. Peter's-field. The procession was peaceable on the road, except a little altercation between two laurel-men. I lost my children in the crowd in St. Peter's field. I was not uneasy about them, as I knew they were acquainted with Manchester. I had no fear till I saw the Yeomanry coming. My reason for allowing the children to go was, that they pressed the request both from their mother and me.

Re-examined by Mr. Scarlett.

I was not afraid in the crowd—nobody was. I heard Bamford say, "if any body should take me, or any body called leaders, do not interrupt them." I do not know the leaders. I know not the committee. I do not know that Bamford was a leader. I did not hear Bamford press people to go, saying "the greater number the better." Bamford gave the laurel sprigs to ten or a dozen of people. I know not the purpose of the sprigs of laurel. The persons were in the square, and Bamford went early round to give the laurel. I have known Bamford many years. I know nothing of Bamford's being in a committee. I have heard Bamford read papers. I know he went to London two or three years ago. I was told it was for Reform. I have heard Bamford read the *Manchester Observer* in his own house. I never practise reading newspapers. I have seen Knight, but should not know him again by sight. I cannot say that I ever saw Knight at Middleton. I never saw him

in Bamford's company. I attended a reform meeting some years back. I was not at the reform meeting of January last. I cannot say how long before the meeting I heard Bamford reading the *Manchester Observer*; nor do I remember that he read any advertisement calling the meeting.

Examined by the Court.

I should not have allowed my children to go to the meeting, had I apprehended any disturbance or riot; nor would I have gone myself, had I entertained such a fear. There was nothing on the road that induced me to think there would be any disturbance; every thing was peaceable and orderly. I had no other motive but curiosity in going to the meeting. I am a farmer, and have 14 acres of land, with four cows.

EDMUND NEWTON, *sworn.—Examined by Bamford.*

I live at Mills-hill, in the parish of Chatterton. I am a cotton weaver. I was at Middleton on the 16th of August last. I went from home that morning about eight o'clock, in company with three other men. When I set out I had a stick with me; I did not take my stick with me to Middleton; I left it behind because one of the men said it was desired nobody should take any weapon of any description, or any stick, with them. Nobody did take any weapon. I heard of no intention of taking weapons. I took my stick, merely to assist me on the road. I always take a stick when I go to Manchester.

Cross-examined by Mr. Serjeant Hullock.

I do not know who desired sticks not to be taken. We had only three sticks when we set out; and as we had heard that it was desired we should not take them, we left them at a friend's house. I never was at a drill-meeting, but I have seen people marching. I was never at Tandle-hill nor White-Moss at a drilling. I saw people marching to town. I I cannot tell when. I think there might be about 20 people. I was at 500 yards distance. It was about 6 o'clock in the evening, and nearly dark. I never saw drilling before, and am not sure if this party was then drilling. I heard of the meeting of the 16th of August from report. I do not read the *Manchester Observer* regularly. I was at the meeting when Mr. Hunt was at Manchester before, and heard him make a speech. I did not stay dinner in Manchester To a question, do not you always dine? witness replied, we sometimes dine, and when we cannot get a dinner, we take two-

pennyworth of cheese and bread. I heard Mr. Bamford speak at Middleton, exhorting the people to go peaceably and quietly; both women and children accompanied the procession, my wife and children were not there. The sticks which we took with us, and left by the way, were common walking-sticks.

Examined by the Court.

I went to hear what was to be said, and with no other intention. I had no expectation that the people who went from Middleton would behave riotously or tumultuously. There was nothing in the deportment of the procession that could alarm the passengers on the road.

JACOB DAYKIN, sworn—Examined by Mr. Bamford,

I reside at Middleton, I am a calico-printer, I am in the employ of D. Burton, and Sons, and have been for some years. I saw the procession of August 16th about half-way between Middleton and Manchester. I saw banners. I saw instruments of music. I saw women, children, old men, and old women. I saw no sticks but walking-sticks. The people seemed to be good-humoured and cheerful. They were very quiet.

Cross-examined by Mr. Sergeant Cross.

I did not go to Manchester with the procession. I never was at a meeting in my life. Do you remember a procession that paid Mr. Burton's premises a visit? Yes, I do: I remember that procession that made Mr. Burton a visit; they were at first quiet, but they afterwards attaked the factory of Messrs. Burton. There was firing from the factory. One of the houses belonging to one of the partners was burnt down.

Re-examined by Mr. Bamford.

These outrages happened more than four years ago: reform was not then so much talked of as now.

The learned Judge said to Mr. Serjeant Cross, who was going on with this examination, that he doubted whether it was evidence.

Mr. Bamford said, that as the learned gentleman had made the allusion to this transaction, he wished to cross-examine the witness, to show that reform was not then common; that this was a Luddite attack, and that Mr. Burton was obliged then to guard his premises by an armed force.

The examination of the witness accordingly continued. He said this was in 1812. The premises were not now guarded, as they were then, by an armed force, nor had they been exposed to danger since. No works were stopped on the 16th of August. Instead of requiring an armed force as then, there was only one constable in Middleton, called James Lees, and whose wife had been called for the defence yesterday. There are no soldiers quartered in Middleton now.

LUCY MORVILLE, *sworn.—Examined by Bamford.*

I am a widow woman, residing at Middleton. I am 39 years of age. (The witness appeared much older, and excited a smile at her declaration of age.) I was at Manchester on the 16th of August. I went in a company of 20; I walked by the side of the procession. I have three children —a daughter married, and two boys that live with me. The two boys, one of nine, and the other of 12 years of age, went to Manchester with the procession. I took the youngest boy by the hand, meeting him on the way, and went on with him. I met my eldest boy near Manchester, turning towards Smedley-cottage, and took him likewise by the hand, stopping with both till Mr. Hunt came from the cottage. I then went to St. Peter's-field, a nearer road than the procession, with my two boys. I did not go near the hustings, having my two boys with me. I stood beside a body of men formed in a line, who refused to let me pass them. A man said, when I attempted to pass, "You cannot pass that way; the line is composed of sworn-in constables." I stood there till Mr. Hunt came on the ground. I saw a man in black clothes riding off from the body of the people. The constables smiled at this, and one of them said, "I should wish the start to begin just now."

The learned Judge here said, he could not hear evidence as to what the constables did or said. The conduct of the meeting was only now in question, and not that of the constables, except so far as it produced an effect upon the meeting.

The learned Judge then asked the witness, if the special constable received any provocation from the meeting?—No; not the least.

Q. Did you say any thing when you heard the person speaking of the start?

A. Yes; I said, nobody wished to create disturbance, or kick up the start, but themselves.

Examined by Mr. Bamford

I saw the Yeomanry Cavalry come on the ground, led by the man in black, who rode off from the meeting; I then made the best of my way off with my children when they came on the ground; I thought then that there was danger. I saw them passing on, but did not see them in the crowd. I saw no resistance offered.

JOHN HAMPSHIRE, sworn.—Examined by Mr. Holt.

I live seventeen miles from the town of Manchester, I know Saxton, I saw him on the 16th of August. I called on him about 12o'clock. I went to give him an order about printing some bills, and found him at home. I remained with him about an hour. I dined with him that day. I had only seen him once before. I left the house a little after one o' loc'k. I left it with Saxton. We went to the *Manchester Observer* office. Saxton had some situation in the Observer office. He was a reporter to that paper. I staved a short time with him there, and saw him preparing paper and pencils to write notes at a public meeting. I went to the meeting. I went onwards, but the crowd pressed and I got sick rather. Some person seeing this, said I had better get on the hustings, and I was handed up. I saw Saxton there on the hustings after I had mounted some minutes. I did not see him before Mr. Hunt arrived. I saw him writing on the hustings. Saxton did not address the multitude in my hearing. I must have heard him had he spoken, as he was down in the cart body as a reporter. I stayed till the dispersion of the meeting.

When the witness had been examined, Mr. Hunt said, I am going to call some witnesses in the regular order followed by the prosecution. As the Learned Counsel marched in the division, we must follow them, and trace their conduct.

John Hampshire being re-called and examined by the Court, said, he saw no disposition in the crowd to resist the military. Mr. Hunt neither made resistance, nor encouraged the crowd to make resistance. I heard a military officer say, "You chairman, come down this moment." Mr. Hunt's reply was. "Very well, Sir;" and he got down off the hustings.

JOHN SMITH of Liverpool, sworn.—Examined by Mr. Hunt.

I am concerned in the *Liverpool Mercury*. I attended on the 16th of August to report to that paper. I have made no deposition before. On this the witness was desired by

Mr. Hunt to proceed, and give a narrative of what he had observed. He did so for some time; but the greatest part of his evidence was drawn from him by the questions of the Learned Judge. Previous to 12 o'clock, he said I observed various bodies proceeding towards the meeting, from different avenues I was struck with the orderly manner in which they advanced, and in which they gave way to carts, carriages, and passengers. I stood on the ground at St. Peter's-field, and heard the conversation of different persons in the crowd as to the objects of the meeting. I expressed my supposition that those around me were all friendly to Parliamentary reform. They all said, yes. I replied "peaceably so, I hope." They rejoined, "Nothing but peace and freedom do we seek." Between 12 and 1 the meeting kept increasing considerably, and I heard a band of music playing what I thought, from the beat of the drum, to be the tune of "God save the King." The beat of the drum in that tune is peculiar. I observed that the persons nearer the band than I was were uncovered at that moment, and I asked a person nearer the band if it was "God save the King," and was answered, yes; when I said, I am happy to hear it. I was stationed 25 yards from the left corner of the hustings, rather in advance. I considered the meeting as complete when Mr. Hunt arrived, and thought it the finest sight I had ever seen, and was gratified with the good order of the whole. I heard Mr. Hunt's speech: he congratulated the people that the effect of the postponement of the previously intended meeting was the increasing of the numbers of the present; he made some observations respecting a placard which had been exhibited, of which I do not distinctly recollect the bearing; he thanked them for proposing him as their chairman, and hoped every person would keep the strictest order. He added, if any person shall be seen attempting to disturb the peace, those who were near him must put him down, and keep him quiet. In a short time the cavalry arrived; I was astonished at the circumstance, as well as those around me; but the general feeling was that they came to preserve the peace: the people gave three cheers, which appeared to me to be in accordance with that feeling. The military returned the cheers. There was then a pause, and the cavalry, after this pause, advanced rather hastily towards the hustings. I saw no resistance: the cavalry advanced quicker than I could have supposed it possible through so dense a crowd. A general cry was raised around me, "What is to be done?" and the general answer to that question was, that the cavalry must be bringing some magistrate

to listen whether any seditious expressions were to be used. We were sure all would be quiet still. In no case whatever did I see any attempt to resist, nor any encouragement to resistance given by Mr. Hunt, or any other person, either by word, look, or gesture. I saw no sticks lifted up against the military. I saw no brickbats or stones thrown till the close of the dispersion, when I saw one stone thrown. If any stones or brickbats had been thrown, or any sticks raised in defiance of the military, I must have seen it. My eyes and countenance were in a direction towards the military. Up to the moment of their reaching the hustings, I did not feel, nor did those around me express, any alarm till the military appeared. I saw the people on the hustings seized. No resistance was made by them. After clearing the hustings, the horsemen diverged round the hustings, and the crowd dispersed, shrieking and weeping.

Examined again by Mr. Hunt.—I am more than six feet high, and therefore was enabled to see all that took place. I saw a great many women and children in the field, and spoke to several of them. They appeared many of them respectable, and clean dressed, as if they came to a holiday feast. I saw many old people, a few at the head of each company; being on the field early, I saw nearly all the parties come up. The elderly persons had sticks; perhaps a dozen at the head of each company—I mean walking-sticks. The marching parties had very rarely any sticks. I did not observe the party with the black flag. I think it was on the field when I arrived, but did not remark it particularly. I saw no particular party marching into the field, with long thick sticks shouldered as muskets. This is quite new to me. It could not have escaped me. Had it occurred, I, as a reporter, must have noticed it. May I make one observation? I thought the few sticks at the head of the divisions were properly employed in keeping away the boys, who would otherwise have impeded the procession. I remained on the plain till the crowd was dispersed. I neither heard any offensive expressions uttered, nor saw any acts of violence committed by the people, from the time of their assembling to their complete dispersion: good humour was in every countenance. I saw no alarm in the respectable persons of the town who attended the meeting, either expressed in their countenances or conduct. I thought many appeared to be inhabitants of Manchester from their dress and conversation. I arrived in Manchester the preceding night; and neither during the Sunday night preceding, nor the Monday morning, did I see any expression of alarm. I was on 'Change, and in several

other places, and I heard it was the general understanding that no interference would take place, and that all would go off quietly. I saw not the slightest apprehension of danger. All seemed to act on the understanding that the authorities would not interfere.

Did you hear me say when the soldiers appeared, pointing to them, "There are your enemies; if they molest you, put them down, and, having got them down, keep them down? No; I conceive it impossible that any thing of the kind could have been said. I must have heard it, if it had been said; and if I had heard it, I must have noticed it. The passage of Mr. Hunt's speech about putting down disturbers, was uttered before the military arrived on the field. I saw the cavalry arrive at the meeting. I did not hear the crowd hoot and hiss, nor see them brandish their cudgels. The feeling was of a different description. The cheering with which they were received was of the same kind as that with which Mr. Hunt was received when he arrived. I joined in this compliment to the military, though I did not join in the previous cheer to Mr. Hunt, whom I did not know at that time.

Cross-examined by Mr. Scarlett.

I meant the cheers as a compliment to the military.

Q. Are you in the habit of complimenting the military?

A. Yes, when they deserve compliments.

Q. Are you the J. Smith invited, in this requisition, to attend the meeting? (The Learned Counsel held in his hand, and read from, a Manchester Observer.—I am.

Q. Do you know any of the other parties invited along with you?

A. Yes; some.

Q. Do you know Major Cartwright?

A. No.

Q. Do you know Mr. Wooler?

A. No. I did not know him then.

Q. Do you know Mr. Crompton?

A. Yes; I have the honour of his friendship.

The Learned Counsel then asked the witness regarding other names which it is not material to mention. On his examination he said, I attended as connected with the paper to which I belong. I did not go on the hustings, because, as I had been invited, I might have been expected to speak, which I had declined doing previously.

Q. Are you in the habit of praising the military, that you joined so cordially in the shout?

A. I do not know to what you allude ; I will praise them when they deserve it. I am not editor of the Liverpool Mercury. I am junior editor, and have been concerned in it ten years. My sentiments are well known I hope. I attended a meeting at Wigan, a considerable time before. It was in the summer of 1816. I spoke there in a debating-room. The witness was here questioned about an inflammatory speech of Knight's at the Wigan meeting, reported in the same number of the Manchester Observer in which the requisition for the Manchester meeting appeared, but said that he had not seen that speech, as he copied into his paper only paragraphs from the Manchester Observer, and frequently did not read it through. The passage was of an inflammatory nature, and need not here be repeated. The learned Judge interfered, and suggested it was not evidence, unless the questions were intended to affect the credibility of the witness.

Mr. SCARLETT then proceeded to examine the witness regarding Mr. Hunt's observation about the placard, as showing his disrespect for the magistrates. I understood Mr. Hunt alluded to a placard, but I do not recollect what he said. It was not certainly to recommend the placard to the meeting, but I did not consider that he spoke against the magistrates, I could not help laughing at the placard myself, as I saw it on the walls, it was so ungrammatical. I dare say Mr. Hunt might have used the word "enemies;" it is a term commonly used in a political sense, as "political enemies"—or, "enemies to the liberties of the country." I most decidedly did not hear Mr. Hunt say, "There are your enemies, put them down," &c. He, I dare say, did use the words, "put those down who disturb the meeting." or words to this effect. I think nothing could be more criminal than to disturb the meeting. I would have collared any man near me if he had disturbed the meeting. I did say, when I saw them coming on the ground "I hope you are friends to parliamentary reform, and peaceably so." I said this, because I was confident they would be peaceable. I had heard the persons who had attended reform meetings described by the press as outrageous, and I was glad to find them so orderly here, for I never saw a more orderly meeting in my life. I never knew of any training. I had heard of various things on this subject, to which I did not attach much credit. I saw the people coming in regular order—not keeping the step, but in lines—which I considered very proper, in order to keep regularity. I should have felt confidence rather than alarm at an appearance of

men walking in such order as to betoken previous concert, and particularly as on this occasion I saw good humour beaming on every countenance. I have seen in Liverpool large bodies of men walking together in rank, as public convenience dictates it, to prevent confusion. I swear solemnly that on the Exchange at Manchester that day I heard no one expression of alarm, but then I left it before eleven o'clock. I received no letter to attend the meeting, but in a letter addressed to Mr. Thomas Smith, he was requested to bring himself and another.

Re-examined by Mr. Hunt.

The exchange at Manchester opens before breakfast hour, and is much thronged between eight and eleven o'clock. When the cavalry came to the meeting I was looking towards you (Mr. Hunt). I saw a placard posted up on the day of the meeting, cautioning the people to keep their children and servants at home. I cannot say whether it was to that Mr. Hunt applied the words, "Signed by some obscure individual, Jack Long or Tom Short." I cannot say whether it had any other signature than that of the printer. I remember I saw on Monday one placard, which cautioned the people to abstain from the meeting "this day," though it was dated on Monday, and it struck me as singular, I did not conceive, certainly, that what Mr. Hunt said was meant as disrespectful to the authority of the magistrates. I saw at the meeting several women, children, and boys, and several of the women very decent and orderly. Indeed, I looked upon this as a sort of guarantee for the peaceable conduct of the men as to any heated expression; for I consider the presence of the ladies always checks the company. I certainly do not think the appearance of those women merited the term of "prefigate Amazons." I saw the woman on the dickey of the carriage in which Mr. Hunt rode, and I did not consider her to have deserved that appellation. I considered her as the wife or the daughter of some person in the carriage, who had consented to carry the flag in honour of the meeting.

JAMES STOTT sworn.—Examined by Mr. Hunt.

I reside at Pendleton, near Manchester parish; I am a land-surveyor; I have some property in the neighbourhood. I saw some people going down our road; they were not parties, but were marching promiscuously. I saw nothing in the conduct of any of the parties that caused alarm in my mind. I went to the meeting, it was about 1 o'clock when

I got on the field. I am a married man, and have six children. I saw nothing to excite my fears for their safety. The people were standing promiscuously till Mr. Hunt came. There was a great crowd, consisting of men, women, and children. I then saw nothing to excite my fears for the town or my family, either from the numbers or behaviour of those present. I waited until you (Hunt) arrived, and there was great cheering. I did not see persons there with large staves, four and a half feet long, shouldered as muskets. I saw no such thing. I was situated in the front of the hustings, looking towards the windmill. I was about 60 to 80 yards distant from the hustings at the first. I got nearer afterwards, perhaps to within a dozen or fifteen yards. I did not hear distinctly what Mr. Hunt said, so as to relate it. While I was there I did not hear the people make use of any violent expressions, or commit any violent act. I saw a great many respectable-looking persons walking about, and a great many decently-dressed females. Some of them were inhabitants of Manchester, and some were not. I never heard any of them express any apprehensions for their personal safety, or for the safety of the town. I saw the Yeomanry arrive on the field. On their arrival they were cheered. The cheering was as great as when Mr. Hunt came on. I did not hear any groaning or hissing, nor see any brandishing of cudgels at the soldiers; I believe I should have observed any thing of that kind if it had taken place. I saw no act of defiance to them. When the Yeomanry first came in, I saw two of them galloping along. I never saw any resistance made to them, or any encouragement given to them to make resistance. Witness was going on, when

Mr. Justice BAYLEY said, you must not tell us of any act done by the soldiers; you may say what was done by the people.

Witness.—My Lord, I was not going to speak to that, I saw, when the two men who had advanced could not get on, they fell back to their party. I saw no advantage taken of the two men who were separated from the rest. I heard several express their fears that the soldiers were going to attack the people, and many began to move off. The soldiers then cheered, and the people cheered the soldiers. I was then looking more towards the Yeomanry than the stage. The people did not go away then. My impression was, that the soldiers came to protect the people, and to keep the peace. Soon after the soldiers proceeded towards the hustings. They galloped towards it as well as they could. I saw them nearly

arrive at the hustings. I saw no such thing as throwing brick-bats, bludgeons, or sticks. In their way, they cut at the people, and galloped on them. The people kept running away as fast as they could, and made no resistance whatever.

Cross-examined by Serjeant Hullock.

The hustings were about one hundred yards from Buxton's house. I never attended any meeting of the kind but this. I went to Liverpool to meet Mr. Cobbett, intending to dine with him. I did dine with him, but did not carry an address to him; nor did I invite him to come to Manchester. This was in November last.

Mr. Hunt objected to this evidence, and Mr. Justice Bayley allowed the objection.

By the Court, at the request of Johnson.

I have often been in conversation with Johnson, and never heard him say any thing disrespectful of the government.

JOHN HAMPSHIRE re-called, and examined by Mr. Hunt.

—I was on the hustings from the time Mr. Hunt arrived, until after he was arrested. I never heard any thing to this effect from Mr. Hunt—"There are your enemies, put them down; and when you get them down, keep them down." I was on the hustings. I saw the military arrive. They first stopped to form, and then charged towards the hustings. My whole attention was bent upon the military after the charge commenced. During their progress I did not see the least resistance on the part of the people.

Cross-examined by Mr. Scarlett.

I did not see any body carry any papers on the hustings. There were-writing-papers like these (pointing to the books of the reporters.) I saw no printed papers.

JOHN SHUTTLEWORTH sworn. — Examined by Mr. Hunt.

I am a merchant residing at Manchester. I recollect being at the Exchange about 11 o'clock on the 16th of August. I witnessed several parties pass the Exchange, to go to St. Peter's-field. They were marching with considerable regularity, in the form of a procession, and conducted themselves in an extremely orderly and decorous manner. I observed that several of the parties had banners or flags, with inscriptions upon them. Many of the inscriptions

merely stated the district from which the parties to which they were attached came. Some of the inscriptions had reference to questions of political interest. My attention was directed to the Lees, Saddleworth, and Mosley division. In consequence of the black flag, my attention was particularly directed to that party. I conceived they conducted themselves in a strictly orderly manner. I cannot speak as to the number of sticks in that party, but I can speak as to the average of sticks in the whole body. In consequence of the observations which had been made as to the number of sticks carried at previous meetings at Manchester, I determined to count as accurately as I could the proportion on this occasion. I did so in several hundreds; until, indeed, I thought I had a fair average: and the result left no doubt on my mind that there was not one stick to ten persons. I speak only of those, however, who were walking in procession. Those who were walking on the sides did not come under my notice. The sticks were walking-sticks, such as are usually carried by country persons. I certainly did not perceive men with large staves, four and a half feet long, and shouldered as soldiers shoulder their muskets. If any persons had been conducting themselves in such a manner with such weapons, I think I must have observed them. It is, however, necessary to state, that there was a crowd round the black flag, and the parties there I could not so distinctly see as the remainder of the procession. Certainly nothing objectionable took place in my presence. There were several gentlemen standing where I was at the same time, and were equally favourably situated for observation. I did not hear a single expression indicating alarm or fear in that quarter. The only objection that was made to any part of the procession was applied to the black flag. I was at St. Peter's-field a little before 12. I assuredly did not see any thing in the conduct or manner of the parties assembled on that occasion so as to excite alarm for the safety of the town.

Mr. Hunt.—Was there any thing in their conduct, manner, or language, that could fairly excite alarm in any rational mind?

Witness.—Nothing, according to my construction of the tendency of such circumstances.

Witness continued.—On arriving at St. Peter's field, I passed through the line of constables, which extended from the house in which were the magistrates, and took my station about 30 or 35 yards from Buxton's house, on the elevated ground at the top of Windmill-street. This situ-

ation was at an angle, but by no means half-way from Buxton's house. I was about 8 yards from the hustings; I saw several parties at a distance.

Mr. Hunt.—Did any thing you saw of these parties excite your fear for the safety of the town of Manchester? Witness.—No; he then went on. I was upon an elevated situation, and could command a view of the whole area. When the different parties arrived, they were received with cheers and congratulations by the others. It appeared to me that those who came to the ground in procession had a way made for them to the hustings. I remained till past one o'clock, when it was understood that you (to Mr. Hunt,) and those who were with you, were coming. I then took my station behind the hustings, about 15 yards from them. When you arrived, you were loudly cheered; the cheers were loud, and of long continuance. I could hear what you said. When you were called to the chair, you called to order, and made some remarks on the necessity of keeping silence, in order that those at the extremity of the meeting might have as favourable an opportunity as possible for persons in their situation. You still exhorted them to be peaceable, when some trifling disturbance took place in the rear of the hustings; and that was the only part of the meeting from which any noise proceeded, Mr. Hunt appeared to me to turn round, and he stated that they must conduct themselves with the greatest order and propriety; yet he did not wish to compromise the right of every Englishman to interfere to prevent disturbance, and if parties in that direction would persist in attempting to breed a riot, these were his words, he trusted they would put them down, and keep them down; and he turned towards the place from which the noise came. Where I stood was a large posse of special constables, many of whom seemed anxious to hear Mr. Hunt, and when this appeal of Mr. Hunt's succeeded in occasioning tranquillity, many of them exclaimed "Well done, Hunt; that's right." Immediately after, some companies of a foot regiment marched round the corner of Cooper-street into Dickenson-street, and faced there, fronting the meeting. This occasioned some disorder in that part of the meeting which was in sight of the station they took. Mr. Hunt, observing the disorder, said something about its being a trick, and desired the people to give three cheers. This was complied with.

Mr. Hunt.—Did I at this time, pointing to the soldiers, say, "There are your enemies; put them down, and keep them down?"—Witness. Assuredly not; on the contrary,

I had my doubts whether any person on the hustings could see Dickinson-street. It seemed to me that your object was only to restore tranquillity, and it had that effect. There was a very considerable body of constables near this place. I stood near the Windmill (public-house.) It appeared to me quite practicable to have communicated with the hustings from that part. There was some little change of situation (among the people who were stationed in that part), but it did not appear to me any thing that could cut off the communication.

Mr. Hunt.—Then it did not appear to you that a dense body, a phalanx of reformers, 10 or 15 deep, surrounded the hustings?

Witness.—In the rear of the hustings certainly there was not. I saw the yeomanry cavalry arrive near Buxton's house. Up to that time I had seen nothing in the meeting, or elsewhere, that day, to excite my fears for the safety of the town. I had not seen any respectable persons that day, at this time, who expressed such fears. To the best of my recollection, you (to Mr. Hunt) desired the cavalry to be received with cheers, and they were so.

Mr. Hunt.—Did the people, instead of complying with my request, assail the cavalry with groanings, hissing, and hooting?

Witness.—I heard nothing of the kind. If they had done it near where I was, I must have heard it. The people turned round, but I saw no brandishing of cudgels. I saw no act of insult or violence offered to the military on that occasion.

Mr. Hunt.—What followed this?

Witness.—While the people were cheering I moved from where I stood to a few yards from the left flank of the yeomanry, and while I was doing this the yeomanry shouted and flourished their swords in the air. This seemed to excite considerable agitation, and there was a confused noise for a few moments, and many of the special constables reaching from Buxton's house towards the hustings fell back along with the people, near them, so as (it appeared to me) to leave an open space of about fifty yards. When this was done, the cavalry proceeded at a quick pace towards the hustings, and when they came to the space comparatively open, those in front appeared to gallop. Their progress seemed to be checked by the dense crowd, and this appeared to me to cause in them considerable confusion. I did not observe any of them separated from the rest. They appeared in one circular mass. The people did nothing to resist them. I

saw them go on the hustings. I saw not a stone, brickbat, or bludgeon hurled at them. As soon as they got up to the hustings, I left the ground.

Cross-examined by Mr. Sergeant Cross.

I never knew Mr. Hunt before. I occasionally saw the *Manchester Observer*. I do not take it in. I did not know of Mr. Hunt's having been at a meeting in London. I heard of his having been at a meeting at Spafields. This did not make me afraid that he should preside at Manchester. I do not know whether that was the reason for his having been invited to Manchester. The meeting was the largest I ever saw. There were several persons in Manchester capable of presiding at a meeting. I have no acquaintance with the parties who arranged former meetings of this kind at Manchester. The only meetings I am connected with, or attend to, are those at the Exchange, the parish meetings, or at the Police-office. I was not at the former meeting in Manchester, nor had I any thing to do with it. I saw Mr. J. Smith, the editor of the Liverpool Mercury, at the Exchange on the 16th, and shook hands with him. It certainly was a subject of congratulation among the many parties there, that the meeting was not to be interfered with. A rumour had prevailed on Saturday and Sunday that there would be no interference or most certainly I should not have gone to it. I had heard of drillings in the neighbourhood before this, and I was not afraid, because I understood those drillings took place only for the purpose of proceeding to the meeting with more regularity. I had never seen such a notice as this posted up— " that the people should take the advice of Mr. Cobbett, and keep a memorandum book, and note down every act of oppression and violence against them, that they might be remembered at a future day."

Mr. Hunt objected to this; but the Counsel for the prosecution contended that it was necessary, in order to show what ground of fear and alarm had existed on the 16th.

His Lordship held that it ought to be admitted, not as connecting it with the prisoners, but to show what impression it might have made on the mind of witness. I was (witness continued) not aware of any circumstances before the meeting which excited my fears for the safety of the town. I apprehend that whatever fears were excited were made in consequence of the threats of violence on the part of those who were known to be connected with the magistrates; and also the notorious fact, that the swords of the cavalry were sharpened shortly before this. It appeared to me that all

the fears of others were excited lest the magistrates should interfere with and disturb the meeting. I had heard of no confederacies or combinations of radical reformers. I do not know what you mean by combinations and confederacies. The only association I knew of was, "The Reform Union." I heard of no associations that excited alarm. There were no manifest symptoms of alarm amongst my neighbours. I saw the people marching to the town. They appeared very much pleased. I am not aware of any persons being alarmed. I was not aware that there had been a meeting at the police office, of what you call "the respectable inhabitants," until some days subsequently. I counted the sticks, so as to satisfy my own mind. Less than every 10th man, I think, carried a stick. The walk of those whom I saw pass the Exchange, was a lounging, sauntering walk. This description applied to all, except the Rochdale division. The magistrates, I understand, were at the house of Mr. Buxton. I was not there. I am a member of the "Manchester Committee" for the relief of the sufferers on the 16th of August. As the bodies came up from the country, they assembled round the hustings. Speaking from recollection, I do not think Mr. Hunt, in addressing the people, used the word "enemies."

Re examined by Mr. Hunt.

I am a member of the committee for the relief of those who were wounded and injured by the forcible dispersion of the people on the 16th. I was actuated, in becoming a member of that committee, by feelings of humanity; for I cautiously abstained from all political interference. It was clear from what I saw, and the information I received in conversation, that an immense amount of human suffering was occasioned by the dispersion of the meeting; and therefore, from feelings of humanity, in order to alleviate that suffering, I became a member of the committee.

Mr. Hunt here put a question relative to the cause which gave rise to the drillings previous to the 16th of August.

Mr. Justice Bayley would not allow the question, as it went, like several other of the questions put by the defendant, to injure his cause.

Mr. Hunt persisted in the question.

Mr. Justice Bayley.—I wish, Mr. Scarlett, that you could change places with me.

Mr. Hunt—God forbid! my Lord.

Re-examination continued.—Witness understood that the people practised marching for a short time before the meet-

ing, in order that they might be able to preserve order in proceeding to, and returning from it. I saw nothing whatsoever in the conduct of the people to excite alarm or terror. I heard that a great body of people had assembled at a former meeting at Manchester, at which you presided. The proceedings were then regular and peaceable, and the assembly dispersed quietly. I heard of no violence or tumult having taken place on that occasion. I well remember a meeting convened by the boroughreeve and constables of Manchester, a few years ago, to consider of an address to the Prince Regent. I believe it was a meeting of the people of Manchester, and of the adjoining districts. I was present at it. The meeting was broken up somewhat suddenly, and rioting and breaking of windows took place. The windows of the Exchange were broken. I don't believe the people marched in regularly; but I have no doubt that individuals came in from the country. At that meeting I think there were at least 50,000 persons. The meeting was called by public advertisement, by the municipal authorities. There was a very large procession in Manchester on proclaiming the peace. I joined the procession. I do not know that Mr. F. Philips was present; but it is probable he was. Many of the labouring classes joined the procession. We walked three or four a-breast. The shop-windows in St. Anne's-square, in Market-street, and along the whole line of the procession, were shut. There were far more windows shut on the day when peace was proclaimed than on the 16th of August. There were many women and children in St. Peter's-field.

JOHN TYAS—Examined by Mr. Hunt.

I am a reporter to *The Times* newspaper. I attended at Manchester in August last, in consequence of a public-meeting that was to be held there. I arrived at Manchester on Friday before the time appointed for the first meeting, which was fixed for the 9th. I remained until after the meeting of the 16th. I met you for the first time (except casually at public meetings) in a room at the New Bailey. I only sent up one report to London; another gentleman came down to Manchester, and relieved me. I recollect sending an article relative to something that occurred at the police office previously to the 16th. It was entitled, "Another Bounce of the Orator's." I had heard much conversation about the meeting of the 16th. I went to the ground about eight o'clock. I was on the alert, the paper to which I belonged always giving the most voluminous accounts of

things of this kind. There were very few people on the ground when I arrived. I have given in no deposition on this subject, neither have I been examined by your Solicitor. I refused to be examined by any one. I saw the people marching in St. Peter's-field. They came with flags, banners, and music, and walked as the electors of York did the other day after the election, with something of a military step. If I had not heard of this trial, I should not have considered that there was the slightest difference between the march of the one party and of the other. I have the notes which I took on the spot, and those which I afterwards wrote down in the New Bailey prison. About half-past 11 the first body of reformers arrived on the ground, with two banners each, surmounted by a cap of liberty. They marched into the centre of the field, and from what I observed, a cart was brought to them, but I am not sure. It might have been there before. I saw other parties arrive. They behaved very peaceably and orderly; I did not see them take up their position in a military manner. I am in the habit of attending public meetings, and I saw nothing in the proceeding of the reformers different from what I had seen on various other occasions. The first party of course, as was always the case, procured the best situation. Perhaps the conduct of the people was more regular than what I had observed at other popular meetings. I recollect the black flag coming into the field. It belonged to the "Mosley and Saddleworth Union." I remember when the parties approached the hustings, "God save the King," and "Rule Britannia," were played. I did not see the parties take up any particular position. The divisions all went towards the hustings. Most of the people in the divisions had sticks, but they were merely walking sticks. I did not observe any person marching up in military array, as it was called, shouldering staves, four feet and a half long, and as thick as a man's wrist. I was induced to remark that circumstance particularly, because I saw it stated in the *Courier*, prior to the 9th of August, that the people who escorted you into Manchester were armed with staves that might be converted into pike-handles. If, therefore, such a circumstance occurred, it would have attracted my attention. I saw no act committed by any of the parties which excited the slightest apprehension in my mind for the safety of the town. Their conduct was quite the reverse of riotous or disorderly. I had several conversations with different persons belonging to the reform party, who said they only wished a restoration of their rights, and, above every thing else, were

desirous to preserve order and tranquillity. I felt it my duty, as a reporter to a public newspaper, to relate all I saw, and to endeavour to ascertain the truth of the reports I had heard. I saw nothing in the conduct of these people that was violent or irregular. There were a great number of women and children present. Many of them marched in ranks, like the men. I saw two female parties in particular, who came in at the head of divisions. They appeared to be dressed in their best clothes on the occasion. If I, in my capacity of reporter, had perceived any thing calculated to excite alarm or apprehension, I should, as an Englishman, have thought it my duty to inform the proper authorities. Before Mr. Hunt arrived, I saw a crowd round a waggon, and a young man addressing the people. As I was very ill, and unable to make my way through the crowd, which was dense, I determined to meet you. I met you at the Exchange. The people were huzzaing. I requested that you would get me a place on the hustings, as a reporter, which you promised to do, telling me to keep close to the carriage. You said you would have given me a place in it, if it had not been full. I saw no attempt to conceal any part of the proceedings. I took hold of the carriage door and went on with it. I did not see you, when the carriage arrived opposite the star inn, stand up in it, and order the people to hiss and hoot. The carriage did stop there, but I think that was occasioned by the people not getting on before. You might have got up in the carriage, but you gave no orders to hiss or hoot. There were, however, hissing and hooting at the Star-inn, and afterwards opposite to the police-office. I did not see you take any part in it. There was a stoppage near the police-office, and Mr. Moorhouse, who was on the other side of the way, in the crowd, was hailed by you, and accommodated with a seat in the coach. When the coach arrived on the field, the bands struck up "See the conquering hero comes," and the people formed in two lines, to let the coach pass. You were received with loud cheering, and appeared to "bear your blushing honours meekly." I recollect your getting on the waggon. There was a black flag at the further corner of the waggon from the house in which the magistrates met, and you said, "It is very foolish," or words to that effect. I recollect your complaining that the hustings were so erected that you had to speak against the wind. After you got on the hustings, I ascended with many other persons. I did not know them. Several females also got on the hustings through the barouch. They did not come in the barouch; but I believe were handed through it

to the hustngs, in consequence of the great pressure. I saw several banners in the middle of the crowd, and many women amongst the multitude. The crowd was more dense and jammed together than any I ever observed before or since. The first circumstance that took place after you arrived was the election of a chairman; and Mr. Johnson proposed you. The crowd was rendered dense, I believe, from the anxiety to get near the hustings. There was nothing of a military appearance in the crowd. I could not perceive from the waggon, though immediately over the people, that their arms were locked. I saw nothing to keep them from the hustings. I heard you complain of the pressure of the crowd, who were constantly pressing against the waggon, lest the hustings should be overturned. The people were close up to the hustings, all the way round. There was no vacant space around, preserved by a body of people with their arms locked. It was impossible for a vacant space of 5 or 6 yards round the hustings to have escaped my attention. I remark, at all public meetings, that people near the hustings take their hats off, and I did not observe it more particularly at this meeting than any other. [Mr. Tyas here read his notes of the proceedings which took place after he arrived on the hustings, commencing with the election of Mr. Hunt as chairman, and terminating with his capture, which have already been published.] When Mr. Hunt came to that part of his speech, where he spoke of "Jack Short and Tom Long," as having signed a paper cautioning the people from attending, the yeomanry appeared, and considerable alarm was manifested at the extremity of the crowd. The cavalry advanced, as far as I could judge, at a quick trot, and formed near Mr. Buxton's house, where the magistrates were. I do not know when they drew their swords, but I perceived, by their flourishing, that they were drawn. Mr. Hunt, as I collect from my notes, ordered the people to give 3 cheers, which they did. My opinion was, that the cheers were given for the purpose of showing the military that they were not daunted by their unwelcome presence. The cavalry advanced and Mr. Hunt told the people it was a mere trick to disturb them, but he trusted they would all stand firm. He scarcely had said these words, when the Manchester Yeomanry rode into the mob, who opened for them in the most peaceable manner. The cavalry directed their course to the hustings, and, when they arrived there, took a number of individuals into custody. I recollect an officer went up to you, with his sword in his hand, and desired you to surrender. You said you would not surrender to a military officer, but if any peace-officer came up, you would surren-

der. No peace officer had presented himself to the hustings before that. Nadin then came, as it appeared to me, from under the waggon. He said he had information on oath against you. You immediately surrendered, after first desiring the people to be quiet. I saw no resistance made by the people to the yeomanry as they advanced towards the hustings. The people got out of their way as fast as they could. My eyes were directed to their progress from the time they left Mr. Buxton's till they reached the hustings. I saw no stones, brickbats, and bludgeons, hurled at them as they advanced to the hustings. I cannot speak of your turning pale, or manifesting alarm, because your back was towards me. You certainly incited no one to resistance. If brickbats, stones, cudgels, and bludgeons, had been hurled in the air in any great quantity, I must have seen them. I I saw no such thing. I don't recollect having seen any foot soldiers from the hustings before the yeomanry appeared. If there were any soldiers present, and you had pointed at them and said, "There are your enemies, if they molest you put them down, and having put them down, keep them down," I must have heard you. Nothing of the sort, occurred. I can say positively that nothing of the kind happened. When the Yeomanry appeared, you desired the people to cheer, and they did. Those cheers were of the same kind as were given when you first ascended the hustings, but perhaps louder. The multitude did not hiss, hoot, or groan at them. I only heard cheering, which would prevent hisses from being distinguished. If there had been groaning, hissing, and hooting, at the extremity of the crowd, the cheering of those round the hustings would prevent me from hearing it. I saw no sticks flourished by the people as the cavalry approached. Had they been flourished, I must have seen it. I was looking towards the magistrate's house. I saw the special constables using their staves. They beat the people with them; and of course raised them in the air. That was after the Yeomanry had arrived at the hustings; the constables were then in the rear of the Yeomanry. I do not know that the constables were beating those who escaped from the Yeomanry, they were striking those around them. If there had been a general resistance on the part of the people when the Yeomanry came up, I must have seen it. There was no such thing.

Examined by Mr. Barrow.

I am son of the late Mr. Tyas, an eminent Proctor in the city of London. It was a little after one when I saw Mr.

Moorhouse in the street. He was hailed by Mr. Hunt. Mr. Johnson and Mr. Hunt went on the hustings together. I do not know whether or not Moorhouse got on the hustings. I did not see any person at work on the hustings.

Cross-examined by Mr. Scarlett.

As the cavalry advanced towards the hustings, the people made way for them as fast as they could. The constables were behind the cavalry, and were striking persons between the cavalry and them. From the time the cavalry arrived until Mr. Hunt was taken, occupied about five or six minutes. I was taken into custody. I meant to have followed Mr. Hunt to the New Bailey, as he was the great source of attraction: but seeing the Yeomanry strike several persons, I looked out for a constable, and placed myself under his protection. I was, however, apprehended. I took a note of several of the inscriptions on the banners. (Here the witness spoke of the several inscriptions on the flags, as they have already been stated). There were two bands of *female* reformers. The ladies from Royton, had a flag with the extraordinary inscription, "Let us die like men, and not be sold like slaves." There were many caps of liberty, and the inscription generally was, "Hunt and Liberty." Mr. Hunt told me at the Exchange that there was no room in the carriage for me, but room was found for Moorhouse. Carlile, whom I have since seen in London, was in the carriage, I believe Knight was also in it. I don't recollect any hissing after we left the avenue leading to the police-office. I recollect every symptom of popular disapprobation being manifested as the crowd passed the Star-inn and the police-office. The magistrates had their head-quarters at the Star-inn. I am not sufficiently acquainted with the streets of Manchester to know whether the procession advanced to the hustings by the most direct road. The people appeared to me to go up to the hustings, and place themselves promiscuously round it. I think, when Mr. Johnson and Mr. Hunt told the people to cheer, the cheer was greater than that which was given to Mr. Hunt. I think the cheer seemed to intimate, "We have met for a fixed purpose to petition for reform, and your presence shall not prevent us." In one sense, it was a cheer of defiance, but not in another. I do not think it was meant to intimate that they would resist the yeomanry, but that they had met to do what they conceived to be their duty, without transgressing the law, and they would not be intimidated. In this latter sense, it might be considered a cheer of defiance. I think there were about 80,000 persons

present, but it was a very difficult point to decide on. As the divisions advanced, most of those who composed them had walking-sticks. I did not observe them carry the sticks on their shoulders—they used them for walking. I arrived in Manchester on the 6th. I saw Mr. Hunt on the 9th, coming down the street called Piccadilly, and by the Exchange; but I did not hear him make his speech. I knew nothing of the meeting but by public advertisement—nothing of the plans or arrangements of their committee.

Re-examined by Mr. Hunt.—The report I sent to *The Times* appeared in that paper, except that some parts which were stale, owing to the delay, were struck out, and that some remarks, in which I reflected strongly on the conduct of the yeomanry, were softened down. I saw no such thing as a bloody dagger at the meeting. When the military appeared, there certainly did seem a disposition in some part of the crowd to run away. The cheer ordered by Mr. Hunt was recommended by him (Hunt), to restore confidence to those who were running away. I heard Mr. Hunt say to some persons on the hustings, "We will give them three cheers to re-assure them," or to that effect; but this was not said publicly to the people. There was not, as far as I could discover, any resistance whatsoever offered to the yeomanry. It did not strike me that the people wished to close in on the military, for the purpose of cutting them off; but when the military had passed, the people were pressed in, and to prevent the pressure made in giving way, rushed back to their former places. This was, as I suppose, not a voluntary rush, but a rush occasioned by the pressure. The people at the outskirts continued going away when the Yeomanry came; but I did not observe the general flight until the Yeomanry began to cut the flags and banners. On Mr. Hunt's arrest the people were flying in every direction. I was struck at myself twice on the hustings, and I was not resisting. I never heard you (to Mr. Hunt) desire or urge the people to resist; but, on the contrary, you desired the people not to resist. A part of the crowd might have hissed without my having heard them. I heard none. I should think, from their very peaceable conduct, that there was none.

By the Court.—When I passed by the Star, I did not see either Mr. Hunt or Mr. Johnson do any thing which could have produced the hissing. I don't recollect that they did any thing to put a stop to it. Nothing was said or done by either of them to encourage or produce hissing at the police-officers, nor did I see them do any thing to

prevent it. The hissing was general as far as I could observe. It was of no very long duration. Mr. Hunt had desired the people to observe tranquility at several times. I think the carriage of Mr Hunt was stopped without any direction. It was frequently stopped by the crowd not getting on. They (Hunt and Johnson) certainly gave no orders to have the carriage stopped at the places mentioned. The address of Mr. Hunt, not to resist, was to the people at large. The words were, "By all means do not resist;" in short, he was perpetually addressing them on this point, and very earnestly. He desired them at various times not to resist. He said, "If they want me let me go." This was before the military had got to the hustings. Words to this effect he repeated several times.

By Mr. Johnson.—I think I did see you put your hand to the people to restrain them from hissing at the police, but I cannot swear to it. At the conclusion of this examination the Court adjourned.

SEVENTH DAY.

The moment the court was opened this morning, both the galleries and the body of the Court were crowded to excess.

At nine o'clock Mr. Justice Bayley entered the Court.—Mr. Hunt having, with the other Defendants, taken his seat at the table, proceeded to call witnesses. The first person called was,

John Earnshaw, a member of the Society of Friends.

Mr. Hunt submitted that he had a right to examine this witness upon his affirmation, as to what he had seen on the 16th of August.

Mr. Justice Bayley said, that Quakers were, by the 7th and 8th Wm. III. chap. 74, precluded from giving evidence in criminal prosecutions, otherwise than upon oath. The Learned Judge cited several cases where the evidence of Quakers had been refused. He mentioned also an instance where a rule for a criminal information had been discharged, on the ground of its having been obtained upon the affirmation of a Quaker.

Mr. Hunt said, that he would not press the point against his Lordship's opinion, particularly as he had other witnesses to prove the same facts. He then proceeded to call other witnesses.

JOHN BRATTARGH *sworn, Examined by Mr. Hunt.*

I am a Wharfinger, and reside at Pendleton, near Manchester. On the 16th of August I was in company with Mr. Earnshaw and Mr. Bancroft (two members of the Society of Friends), in a room overlooking the meeting. I went to Manchester on that day, to collect money; business was going on as usual. I went up to the New Cross, where a great crowd of people was assembled. There were no shops shut up then; business was going on as usual at New Cross. This was about ten o'clock. There were great crowds there; they were forming into line. I conversed with several persons on the subject of the meeting, but no one expressed any alarm for the safety of the town. I felt no alarm myself; if I had I should have stopped my teams. I had two teams at work on that day, and they carted as great a quantity of coals as on any other day. I suppose the people formed into line for the purpose of getting through the streets with more ease. I saw several parties come into town; there were many women and children with them. The women were tidily dressed; apparently in their holiday clothes. I saw one party headed by several females, walking in procession. At Shude-hill I saw the Bury party; they also had numbers of women and children with them. I saw the black flag borne by the Lees and Saddleworth party; they had not large bludgeons or cudgels in their hands; they had some common walking sticks; if they had staves four or five feet long, and as thick as my wrist, shouldered like muskets, I most assuredly must have seen them; but I did not see any such thing. The Bury party were walking quietly along when I saw them. I saw no ill conduct or acts of violence committed by any of them. I went to the meeting about 12 o'clock, in order to witness the proceedings. I was on the second floor of a house about 30 yards from the hustings. I had a complete view of the hustings and of the whole field. I went to the room by the invitation of Mr. Bancroft, who had taken it in order to see the meeting. I saw several of the parties arrive. I saw nothing in their appearance different from those I have already mentioned. They had flags and bands of music. I heard "God save the King" and "Rule, Britannia," played. They were received with loud approbation. It did not strike me as a disloyal meeting. I saw no symptoms of disloyalty amongst them. I don't belong to any of the Unions for Reform. I observed, when they were all assembled, that it was the grandest sight I ever saw in my life, and so I think yet. I saw a double line of constables directly under me. Many

of them were persons whom I knew to be special constables. I saw no acts of violence or any insult offered to them. I saw Nadin come down the line, and go up again towards Buxton's, before you came. There was no insult or violence offered to him. I saw you arrive; you were received with cheers. The people took off their hats when they cheered. When "God save the King" was played, all the people that I supposed belonged to the meeting, took off their hats; but the constables did not take off their hats.

Mr. Hunt.—That is a curious fact, my Lord.

I heard part of what you said when you got upon the hustings, but not distinctly. I was between the hustings and the Magistrates' house. After you addressed the people, there was some disturbance behind the hustings. You turned round, and extending your hand, said, "If any one create any disturbance, put him down and keep him down.' This appeared to be addressed to some one belonging to the hustings. I did not hear you say, pointing to the military, "There are your enemies, if they molest you, put them down and keep them down." It was impossible, as the soldiers had not arrived at the time. I saw the military come up at the corner of Dickenson-street. This caused some confusion, and the people in the outskirts began to run. You cheered in order to keep them together, and the effect of it was, that the people stood still again. Then the cavalry came in, and formed opposite the house where, as I since understood, the magistrates were. They put themselves in line, and cheered. I saw nothing done by any of the crowd to resist them. I never took my eyes off the cavalry till they got round the hustings. They advanced at either a canter or a gallop; they came as fast as they could. There were not any stones or bricks thrown at them, nor any sticks thrown at or lifted up against them. I could see all that passed as well as I can see this Court now.

Cross-examined by Mr. Scarlett—I have lived in Pendleton 34 years. I lived in London about nine years since. I have men to go with my carts. I shook a handkerchief out of the window when Mr. Hunt arrived. I joined in the shout. I cannot say whether there was any difference between the shout given when Mr. Hunt arrived and that given on the arrival of the cavalry. I have heard people say there were 150,000 persons present. I gave a pound note towards Mr. Hunt's Election for Preston before I left Manchester. This was the only subscription in which I joined.

Re-examined by Mr. Hunt—I never saw you before you arrived in the carriage.

HENBY ANDREWS, sworn—Examined by Mr. Hunt.

I have been your servant seven years. I have been at many meetings. I accompanied you to the three meetings at Spa-London; to the public meetings at Bristol, Bath, the county meetings in Wells, Wiltshire and Salisbury, and the public meetings at Westminster. I have heard that you are a freeman of Bristol. I know that you have property in Bath; you have houses, a large yard, and out premises there. You are Lord of the Manor of Glastonbury, in Somersetshire, and have a farm there. I perambulated the bounds there for you. You also have farms in Wiltshire and Hampshire. I know you are a Liveryman of London. When you attended the Westminster meeting you resided there. I accompanied you to the Manchester meeting, as well as to all the others which you have attended. I never saw any riot or breach of the peace committed by of any the persons composing those meetings. The meeting on Brandon-hill, Bristol, was surrounded by horse soldiers. The people and yourself cheered them, both in going to and coming from the meeting. This did not appear to give any offence to the soldiers. I recollect meeting some of the Horse Guards on our return from one of the Spafields meetings; they were cheered. There was also some hissing. You did not hiss. You rose in the gig and told the people not to hiss the soldiers, but to cheer them; this was done, and the soldiers passed quietly on. We met a second party of soldiers, and the same thing occurred. There were no lives lost. I was with you at the second Spa-fields meeting. There had been a riot before we arrived. We arrived at Spa-fields about 12 o'clock. The rioters were gone then. I accompanied you to Bullock Smithy in August last. When you heard that the meeting was put off, you said you would return. You went to Stockport, and the next morning you went to Manchester. I walked before the gig. In Manchester you addressed the people. You said you must return, and the people said, "no, no," wait to the 16th. I recollect this, as I wanted to go back myself. I left a wife and family behind me, besides, I had lost my linen in the way down. We returned to Mr. Johnson's. Next day you came into the stable and said you would remain till the 16th. I remember your speaking about your political horse, Bob. Bob is now dead, and buried at Preston. I saw his grave. It was said that he was poisoned at Lancaster Assizes. I know you have

had large farms at Elford, where you were born. You were always called the poor man's friend.

Mr. Hunt.—My Lord, I call this witness to character.

Mr. Scarlett.—This is reversing the thing. It was usual to call the master to the character of the servant.

I never heard you urge any meeting to acts of violence. You were called the poor man's friend, as you said, that if a poor man worked hard all the week, he ought to have enough to support a family. You were generally visited by Squire Wigmore and Mr. Hutchins, the clergyman of the parish. I never saw you or any of your company intoxicated in my life. My fellow-servant (a female) has lived upwards of six years with you.

Cross-examined by Mr. Serjeant Hullock.

My fellow-servant is not here to give my master a character; he can say as much for me as I have said for him. I do not know my master has any property at Manchester. I remember hearing that Mr. Beckwith's shop was broken open, and some guns stolen on the day of one of the Spa Fields meetings; I heard a man was shot in the shop. This was before he went to the meeting. Mr. Hunt was chairman at that meeting; I did not see Watson there; I cannot say that I knew him at the time. I never saw Thistlewood and Dr Watson in company with Mr. Hunt. I knew no other person at the meeting but Mr. Hunt. I did not accompany Mr. Hunt to London after his liberation from Lancaster gaol. I was not at the dinner given after his entry into town. We came to Mr. Moorhouse's house from Bullock Smithy. My master remained all night. I cannot say that Knight was there when we went. I first saw Knight at Smedley Cottage. I do not know Mr. Carlile. I can't say whether he was at Smedley Cottage or not. I was not with Mr. Hunt when his action against Dr. Stoddart was expected to come on at Guildhall, London. I was in the country, at Middleton Cottage. I was never at Blackheath with my master. I have heard of his having been a brewer at Bristol. I believe Mr. Hunt is a lodger, when in London. When he lodged in Norfolk street, Strand, he had three rooms and a kitchen. I have not been in town with him lately. Whilst we remained at Manchester we were at Johnson's house. I knew that Mr. Grundy called on Mr. Hunt, because I held his horse. I saw Mr. Hunt and Mr. Johnson go in a carriage to the meeting on the 16th of August. I believe Knight also was in the carriage. There was a fourth person, but I do not know who he was. I never saw him before or since. My master

breakfasted with Mr. Johnson that morning. I do not know whose carriage it was. Mr. Johnson does not keep a barouche.

Re examined by Mr. Hunt.

I never in my life sat down with you to dinner. I never professed to meddle with politics. I have enough to do in minding my business.

Mr. Hunt.—No, it is quite enough that the master should be a politician.

By the Judge.—When my master said that a poor man who worked from Monday morning to Saturday night ought to get enough to support his family, I did not understand him to insinuate that people so working did not get enough.

EDWARD BAINES, jun, *sworn.—Examined by Mr. Hunt.*

I have not made any depositions. I am connected with *The Leeds Mercury* I have not read any newspaper containing the evidence given on this trial. I have cautiously abstained from doing so. I attended the meeting on the 16th of August for the purpose of giving a report of the business. I was upon the hustings that day. I arrived on the field at 12 o'clock. I saw the different parties come up in ranks, arm in arm; they were received as they advanced to the hustings, each with three times three cheers. They did not take up their stations in a very regular manner; they all got as close to the hustings as they could. Nothing particular struck me, but that they came in bodies; some attended with music and banners. I do not recollect any of the tunes played; I took particular notice of their sticks; my attention was, from previous information, particularly drawn to this point; I saw nothing in their hands but common walking sticks; many had them, but I cannot say the proportion. I did not notice a greater proportion of sticks than is usual among country people at races, or on other such occasions. I saw no long staves shouldered like muskets, nor any thing resembling them. I looked at all the parties as they came on the ground, but I saw no such thing. If such ac ircumstance as this occurred, I, attending as a Reporter, must, I think, have noticed it. I advanced to the hustings, or cart about half past twelve, and remained in that situation till one o'clock, when another cart arrived with boards. When the hustings were formed, I mounted them. There was no removal after the first erection of the hustings. One or two young men from the

hustings frequently recommended order, as the parties arrived, and the order was observed as perfectly as, under such circumstances, it could be. About one o'clock a subscription was raised, to get those who came from a distance some ale, but they afterwards resolved to have nothing but water, and a can of water was sent for. About one you arrived, followed by a very large procession. On mounting the hustings you appeared out of temper at the situation in which they were placed. Among those who came upon the hustings were a number of girls, dressed uniformly in white. They appeared on an average to be about 22 or 23 years of age: I think there were twelve or fourteen in number. I think the reason of their being on the hustings was to avoid the pressure of the crowd, which was very great at the time; one or two women had fainted from the pressure. An attempt was now made by those nearest the hustings to push themselves back, in order to avoid pressing against them: they partially succeeded. To the best of my knowledge, while Mr. Hunt was speaking, the crowd was close to the hustings. After a few minutes you began your speech. I took notes of that speech in short-hand; I had some difficulty in doing so (Here witness produced his notes, and also a copy of what he had written from them). The speech commenced thus:— "Friends and fellow-countrymen, I must beg your indulgence for a short time, and beg that you will keep silence. I hope you will exercise the all-powerful right of the people in an orderly manner."—[Here witness said that the words "orderly manner" were not in his notes]. I wrote it a few hours after from memory; that was usual with reporters. He proceeded to read—"And any man that wants to breed a disturbance, let him be instantly put down. For the honour you have done me by inviting me to preside at your meeting I return you my thanks, and all I have to beg of you is, that you will indulge me with your patient attention. It is impossible that, with the most patient attention, we shall be able to make ourselves heard by the whole of this immense assembly. It is useless for me to attempt to relate to you the proceedings of the last week or ten days in this town and neighbourhood; you well know them, and the cause of the meeting appointed for last Monday being prevented; it is therefore useless for me to say one word on that subject, only to observe, that those who put us down, and prevented us from meeting on Monday last, by their malignant exertions, have produced a two-fold number to-day. It will be perceived, that in calling this new meeting, our enemies, who flattered themselves they

had gained a victory, have sustained a greater defeat. There have been two or three placards posted up last week, with the names of one or two insignificant individnals attached to them—one Tom Long, or Jack Short, a printer."—At that moment I observed the cavalry come on the ground at a rapid pace, from the direction of St. Peter's Church. They were in considerable disorder. They had not then come into the crowd. They drew up in front of Mr. Buxton's house, the foremost of them being opposite to it. I have omitted one circumstance which occurred before the cavalry arrived. Mr. Hunt stopped in the middle of his speech, for what reason I do not know, and directed the people to give three cheers; he turned round and said to those near him, "there is some disturbance in the outskirts' 'tis only to rally them, that is all." As the cavalry approached Mr. Buxton's house, Mr. Hunt said "you see they are in disorder, this is a trick." The cavalry, after halting about three minutes, brandished their swords, and advanced. I saw no attempt made to resist them, nor did I hear any encouragement given to do so. My eyes were directed towards the cavalry till they began to advance to the hustings. When they had got about 10 yards into the crowd, I turned away; I saw no stones or brick bats, thrown, nor any sticks lifted up against them. I should think the hustings, were 60 or 70 yards from Mr. Buxton's house; when the cavalry were within about 30 yards of the hustings, I turned away. In about half a minute they arrived at the hustings. Mr. Hunt, stretching out his arm, cried "be firm." His face was then in the direction of the cavalry. The words were addressed to the whole crowd. No application had been made, to my knowledge, for the cavalry to pass through. I had no knowledge of the purpose for which the cavalry advanced, nor have I any reason to suppose Mr. Hunt had. There was a large body of special constables near the cavalry, but they remained stationary. I saw no constables accompanying the cavalry. I heard nothing from Mr. Hunt after the words "be firm," but the words "give three cheers;" these words were repeated, as were the words "be firm." I think the last direction to give three cheers, was when the cavalry first arrived. I left the hustings when the cavalry had advanced about ten yards into the crowd. I got off at the back of the hustings, and went through the people, to the distance of about four yards, in the opposite direction from Mr. Buxton's house. By that time I saw a trumpeter, on a pye-bald horse, wheeling his horse to the back of the hustings; the crowd, as if by one impulse, moved back; I was

carried about thirty yards back; I then got upon a cart, and looked towards the hustings; I saw no resistance made to the military.

Mr. Hunt.—Did you not see something done by the cavalry, which, according to your impression, was calculated to cause resistance on the part of the people?

Mr. Scarlett objected to this question.

Mr. Justice BAYLEY.—I can't allow the witness to answer that question, and for this reason, because the Jury would be trying the question from prejudice, and not from the evidence.—I have thought much upon it, and I am of opinion that the question ought not to be asked.

Mr. Hunt.—My Lord, I think I have a right to shew the nature of the attack made upon the people.

Mr. Justice BAYLEY.—I am of a different opinion. I have taken a note of your observations, and you shall have all the benefit arising from it.

When I got off the hustings I met with no impediment but from the density of the crowd. The Trumpeter was about two yards from the hustings, and an equal distance from me when I saw him. He was between me and the hustings. He had been enabled to come round through the crowd, In that quarter (the back part and side) there was no locking of arms near the hustings. I cannot say how they were at a distance. I did not see a cordon of locked arms, eight or ten deep, round the hustings. I did not see any people locked arm in arm. I think it was not possible to see whether any persons had their arms locked at a distance of four yards. I can't say whether or not they were locked arm in arm close in front of the hustings. I saw the whole of the people form round the hustings as they came up. I perceived no difference between the manner of their forming and that usual at other meetings. I have attended public meetings at Leeds, York, and elsewhere. I did not hear any one direct the people to lock arm in arm, in order to keep the cavalry, from coming amongst them. It was not possible to see from Mr. Buxton's house whether the people were locked arm in arm or not. I saw nothing warlike in the meeting. The people had not the appearance of disciplined troops, ready to protect Hunt or to fight for him, as occasion offered. I saw no infantry. My impression was, that the cheers were cheers of conscious innocence, confidently relying on the protection of the laws. You did not point to the soldiery, and say to the people, "Your enemies are among you; if they attempt to molest

you, get them down and keep them down." I stood near you, and I think I must have heard the words, had you used them. I heard nothing like those words. I did not hear you say, when the cavalry arrived, "They are only a few soldiers, very few, and we are a host against them." If any such words were used, I must have heard them. When you bid the people be firm, you used no gesture, or action, or other expression, to induce them to resist. My impression was, that you merely wished the people to stand, and to prevent danger from their running away.

Mr. Scarlett objected to any questions respecting witness's impressions of what was said.

Mr. Justice Bayley said the witness had a right to give his impressions of what he had seen and heard.

Mr. Hunt—My Lord, I—

Mr. Justice Bayley—Mr. Hunt, I have decided in your favour.

Mr. Hunt—My Lord, I shall waive the question with respect to this and all other witnesses, and perhaps it will be for your Lordship's convenience, provided Mr. Scarlett will consent to expunge from the evidence the *impressions* of Messrs. Green, Hardman, &c.

Mr. Scarlett—That is different. Those are impressions with respect to the meeting.

By the Judge—When the words "be firm" were used, the people stood perfectly still. I saw no sticks lifted up, or stones thrown. The people did not put themselves in any posture, either of offence or defence. All eyes were bent on the cavalry. It was very possible for those nearest the cavalry either to have rushed upon them, or struck them. It did not appear that the words used by Mr. Hunt were for the purpose of inducing the people to put themselves in a posture of offence or defence.

By Mr. Hunt—When you used the words "be firm," you stretched out your arms, with your hands open and the palms down.

Cross examined by Mr. Scarlett—I do not know whether Mr. Hunt had his hat on or not. I only saw the left hand. I do not know what he had in his right hand. I was induced to notice the sticks, from having heard that the Radical Reformers came to their meetings armed with clubs and cudgels. I have no recollection of having seen a letter of Mr. Hunt to the people of Manchester, inviting them to come to the meeting armed with no other weapon than a self-approving conscience.

By Mr. Barrow—I did not see Jones on the hustings.

By Dr. Healy—I saw you on the hustings; you desired the people to be quiet.

By the Judge—I took notice of the places from which the parties came, as they were mentioned on the banners.

Mr. Thomas Schofield sworn.—Examined by Mr. Hunt.

I reside at Shelderslow, near Manchester. I was at Lees on the 16th of August. I saw about 40 or 50 men assemble on that morning; they had nothing in their hands more than common walking-sticks used in the country. I went to Oldham that morning. I saw a large assembly of of people on Bent-green; I left them there and proceeded to Manchester on my business. I am a cotton carder. I found that business was going on as usual at Manchester. It was half past eleven when I got down to the Infirmary. I heard no fears expressed of the consequences of the meeting. At the top of Moseley-street, I saw the Stockport people pass. They consisted of men, women, boys and girls, all walking in procession. There were many of the women walking arm in arm with the men in the procession. They did not look to me as if they were going to commit any act of violence. Some appeared rather decent, and others not. They appeared to be a people sadly torn down and in distress. I dare say they had on the best clothes they could muster. The shops were all open the same as they are on any other day, for any thing I saw. I saw the Oldham, Royton, Lees, Saddleworth and Moseley parties pass the Exchange door, and looking through the windows. [Mr. Hunt here observed, that the Exchange was a large building where the gentlemen of the town go to read the papers and transact business.] The gentlemen seemed laughing at the flags. There was no symptom of alarm manifested. The people passed by in a peaceable and orderly manner. I saw no insult offered to any one. I saw no uncommon number of sticks with the people. I did not join the procession. I saw nothing to alarm me. I went to Peter's-field. I saw some peace officers, but did not know them to be such until they began to use their bludgeons. I saw the cavalry come upon the ground. They formed in front of Mr. Buxton's house. I saw no resistance on the part of the people.

By the Judge.—I saw no resistance on the part of the people.

By Mr. Hunt.—I was near the hustings, but not so near as that the cavalry could reach me with the cuts of their sabres. I saw no insult or abuse whatever offered to the

cavalry or constables. The people appeared to get out of the way as fast as they could, to let the cavalry pass. I was nearer to the hustings than to Mr. Buxton's house. I kept my eyes on the Yeomanry as well as I could till they got up to the hustings. I am five feet ten inches high. I could see very well over the people. I saw no brick-bats or stones thrown, nor sticks lifted up against the cavalry. The people were so jammed and crowded together, that they cloud not do so, even had they been inclined.

Mr. Scarlett—You may go, my friend, I have no questions to ask you.

ROBERT HARROP, *sworn.—examined by Mr. Hunt.*—I live at Lees, and manage a spinning concern for my father. I recollect directions having been given to buy linen to make a flag—some white bleached cambric was bought, it was to make a flag to go to the Manchester meeting. Directions were given to have inscriptions and devices put upon it, and they were put on accordingly, but it would not answer, because, when the painter began to letter it in black, the lettering was seen through, and it prevented the reading. We determined to have it of some other colour, and the painter having no paint but the black with which he was painting the letters, we agreed that the flag should be painted black, and that the inscriptions and devices should be painted white. This was the sole cause of the white flag being made a black one. It was never pointed out to us, nor had we any idea that a black flag was more offensive than a white one. I did not see the procession go off to Manchester. I did not go with them. I went by myself. I saw the parties in Manchester. I did not see any of my townswomen with them.—There were women with the Stockport party. I saw no large sticks or staves, either with our own or either of the other parties. If any of my own townspeople had come armed in this way I should have noticed it. I went to the meeting. I saw nothing in the course of the morning which created any alarm in my mind for the safety of the town; the shops were all open, and business going on as usual. I was at the exchange. There were many of the townspeople there. I heard no expression of alarm by any of them. I did not see any act of violence or any insult offered to the gentlemen on the Exchange, or to any one else, by any of the parties. I saw the cavalry go to the hustings.

By the Judge.—I did not see the people do any thing to resist the cavalry. I was at the extremity of the meeting, and had to look across the people. I was not in a situation

to see whether any resistance was offered near the hustings. I saw no resistance during the whole of the day. Some of the cavalry came near where I was, but there appeared no disposition to resist them. I could not see any clubs with the people near me.

Cross-examined by Mr. Scarlett.

I did not put on the flag the words "No boroughmongering," "Unite and be free," "Saddleworth, Lees, and Moseley Union" on one side; and on the other "Taxation without representation is unjust and tyrannical," "Equal representation or death." There was a hand holding the scales of justice, and the word "justice" under it. On the other there were two hands clasped, and the word "love" under them. [Here the flag was produced: it was about six feet long by three or four broad].—That is the flag; the women I think put the white fringe upon it. I selected some of the mottoes.

Mr. Scarlett—Did Doctor Healy chuse any of the mottoes?

Witness—No.

Mr. Scarlett—Because he seems to have a parental fondness for it.

Mr. Hunt—I perceive there is a piece cut out of the flag, I hope it won't be said the bloody dagger was upon that piece.

Witness—No. There was not a bloody dagger on the flag.

Dr. Healy—I was afraid you would not produce the flag, Mr. Scarlett, and so I have brought a model of it. [Here the Doctor produced a small model of the flag, with the inscriptions, &c. It was fastened to a stick, suspended from a pole, as hanging signs are over shop doors or windows].

Mr. Scarlett observed, that the word death was in small letters on the model, but on the flag itself the letters were large.

Mr. Hunt—My Lord, the model is done from memory.

Witness—I am quite sure there was no bloody dagger painted upon it.

Mr. Hunt—Are you quite sure that there was no bloody dagger on the flag, as described by Mr. Scarlett?

Witness—I am sure there was not.

Mr. Scarlett—I shall explain that by-and-by.

W. NICHOLSON Sworn—Examined by Mr. Hunt.

I live at Lees; I am a printer; I was not called upon to paint a flag before the 16th of August. I went to Man-

chester on that day, but not with the Lees party. I saw them near the Exchange at Manchester; they had a black flag; I saw part of it painted; I saw no difference in the appearance of Manchester on that day, save in one instance, I saw a public-house with the windows shut; I went in with some friends and called for a quart of beer; a female servant said they could not give it, as they had received orders from the Magistrates not to sell any on that day, however she would ask her mistress; she afterwards returned and we got two quarts of beer; I saw a procession pass. A waggon broke through it without molestation, as did also several gentlemen. I took notice of their sticks; I think about one to four had sticks, they were for the most part switch sticks. The procession was headed by about 30 or 40 females rather poorly attired; they walked four a-breast; I saw people pass along without taking any notice of the procession, which surprised me. I heard no one express any alarm at the entrance of the people into town.

Mr. Hunt—Were you on St. Peter's-field?

Witness—I beg your pardon Sir; I have made a digression; I must go back to the Exchange, if you please.

Mr. Hunt—Sir, I wish to bring you as shortly as I can to the evidence; you had better let me question you:—Were you on St. Peter's-field?

Witness—I was.

Mr. Hunt—Did you see me arrive?

Witness—I beg your pardon, Sir.—Are you Mr. Hunt?

Mr. Hunt—Yes.—Did you see me arrive on the field?

Witness—Oh, I beg your pardon, Sir; I had not the pleasure of knowing you before. Yes, I saw you arrive. I had heard of your great reputation for oratory, and so I was anxious to get near the hustings, in order to hear you, and judge for myself.

I saw the soldiers advance, but not a single person offered them the least opposition; in fact the people were so dense that it was impossible to get out of the way. I did not see Dr. Healy advance with his party, but I was too busily employed looking at the people in the Exchange; they seemed anxious to see the procession pass, but they positively betrayed no symptoms of alarm. I saw one yeoman pass the Exchange, and nobody insult him. I saw both Wylde and Dr. Healy on the hustings, and heard the latter say, "Be peaceable; take care you are not thrown into confusion." He lived at Lees, and had a considerable property there, with his father. When the cavalry had advanced beyond the hustings he saw some sticks thrown: this was after the arrest.

The Court held that this evidence was not necessary.

Cross-examined by Mr. Sergeant Hullock.

We are booksellers, but never sell any of the "trash" publications, as they are called—that is, *Cobbett*, *Wooller*, and such like. We never sold Hunt's Speeches; do not know whether they are trash.—[This witness excited considerable laughter, from the didactic manner in which he delivered his evidence. At one time Mr. Hunt was north-east of him, at another south-west. Sometimes he saw his back, sometimes his front; at other times the wind was in his favour, as well as against him. The witness himself, being a cheerful good-natured man, heartily joined in the laugh, which the gravity of the Court could not occasionally resist.]

JOHN HULLEY, *sworn,—Examined by Mr. Hunt.*

Was a woollen-clothier, residing in Moseley, and went to the Manchester meeting with his mother and wife; the former was 65 years of age. There was no appearance at Manchester of alarm. The shops were at business, and the people following their usual occupations; he saw the different processions enter, and in a peaceable, quiet, and orderly manner, without offering the slightest insult to any body. He took his goods into Manchester, and went round as usual to his customers. He had not the slightest fear about his property on that day. His customers did not appear to be alarmed about the meeting; they were carrying on their trade as usual, and expressed no apprehensions about the people. Witness went to the meeting with his wife, and his mother, after she transacted some business of her own, was to have joined them. He saw no insult offered by any of the people at the meeting to any body.

Q. Did you see any violence committed by any person else?

Mr. Justice Bayley—No, don't ask that question. It is obvious to what he alludes. I have other reasons for not wishing that their case should be investigated or prejudiced here.

Mr. Hunt had no wish to press any question upon a witness which his Lordship considered irregular. He saw Mr. Buxton's house as well as the hustings, and could see plainly what occurred in the line between them. He saw the cavalry come from Buxton's to the hustings. There was no resistance whatever offered to the cavalry by the meeting. He did not hear any of the cavalry say what they wanted at the

hustings. He was nearer to the cavalry than the people on the hustings; and if any of the latter heard any of the cavalry say what they wanted, he must have heard it also. He did not know the object of the cavalry to be to enable the constables to get up to serve a warrant. If any such communication of their object had been loudly made, situated as he was, he must have heard it as soon at least as any body on the hustings could.

Nancy Prestwitch examined.—Was mother of the last witness, and went to Manchester on the 16th of August, and walked there, thought it was ten miles distant. She saw a dozen or so of her own townswomen (from Mosely) and a number of others, at the meeting. Though she was sixty-five years of age, she walked out towards Smedley Cottage, after her walk into Manchester, and they formed her there at the head of the line, as *Commander* of about 200 or 300 women. She knew St. Peter's-fields, and got there before Mr. Hunt came. She wanted relief, and went and got *a gill of beer*, when she met Mr. Hunt, as she was coming back to the ground, the cavalry-men were coming there; she stopped there. Neither herself nor any of the 200 or 300 women offered to take the cavalry prisoners: She went with peace, and joined in the shout when Mr. Hunt arrived, before she got her gill of beer. When the cavalry-men came up she heard shouting, but did not join in it, not knowing what it was for. The people of Manchester did not seem alarmed about the meeting. If she had had any apprehension of riot she certainly should not have gone there.

Mr. Scarlett said, it did not follow that because strangers entering the town had no apprehensions of riot, therefore the inhabitants in the town should be also free from alarm. He here freely confessed, that he did not mean to charge Mr. Hunt with intending to excite the people at the instant to actual tumult. It was quite enough to shew that the effect of his proceeding was intimidation.

Mr. Justice BAYLEY.—Then it may so happen, perhaps, that your object is not sufficiently stated in the indictment.

Mr. Scarlett thought intimidation would be quite enough.

Mr. Justice BAYLEY—I would not for the world mislead the Jury. If I can hold the scales of justice equally balanced, then I shall do my duty.

Mr. Scarlett could not see Mr. Hunt's object in putting a number of the questions he had put. The only effect was to occupy a large portion of time.

Mr. Hunt was surprised at this observation. The prosecution occupied four days, not quite as much was yet given

for the defence, and yet the Learned Gentleman complained.

Mr. Scarlett said that three quarters of the time during the prosecution was taken up in cross-examinations.

Mr. Hunt, Yes, and very necessary ones.

Mr. Scarlett, We have shewn that a strong alarm was felt in Manchester.

Mr. Hunt, we have shewn the reverse.

Mr. Justice Bayley, I must leave that to the Jury.

Mr. Scarlett repeated, that it signified little what was the feeling of those who came in from the country, it was the people in the town whose feelings were to be principally considered.

Mr. Justice Bayley, There are two questions:—First, whether there was actual terror in any considerable portion of the inhabitants? Secondly, whether there were any accompanying circumstances in the meeting so as to excite reasonable grounds for apprehension of the consequences? these two points, I shall submit to the Jury.

Examination resumed---They were all women; no man came to put them in order. She went to look at the great man, and see what was going on. She had nothing to do with the flags.

Re-examined by Mr. Hunt.

I carried no sword. We had good intentions---that we had [a laugh].

ROBERT WOOD, sworn---

Is a Chemist and Druggist in Manchester, residing near New Cross. He observed the Oldham and Saddleworth people enter the town on the 16th of August, and saw nothing particular in their conduct; men, women, and children passed altogether quite peaceable. He did not shut up his shop until evening, when the Magistrates ordered the doors to be closed. He saw no cause whatever for alarm, the people had no appearance of an invading army. Some few had common walking sticks, he saw no large staves whatever. He went to St. Peter's field about 12 o'clock, and certainly heard no alarm expressed by any inhabitant.

Mr. Serjeant Cross, Ten thousand may have no fear, and yet twenty thousand others may.

Mr. Hunt, Yes, but if ten thousand have no fear, it is clear that they were free from the apprehension.

Witness [Mr. Wood] with Dr. Earnshaw, of the Society of Friends, attempted to pass up to a window of a house in

overlook the area, but were prevented by constables. They however, at length got to the window, and had a complete view of the hustings, and the whole line between it and Mr. Buxton's house. He saw many divisions of the people come up to the field. Some played "God save the King" and "Rule Britannia," and those near the music took off their hats, he supposed, on account of the tunes. He saw no insult whatever offered by the people. He saw Mr. Hunt arrive on the ground amidst loud cheering. (He then described Mr. Hunt's speech, as before described by other witnesses). While the speech was going on there seemed to be some slight disturbance towards Dean's-gate; and he heard Mr. Hunt say, he had no doubt people would be sent among them to create a disturbance; that if any such appeared, they should put them down and keep them down. Where the disturbance was, the place was exactly opposite Dickenson-street. It was some time before the soldiers came, that Mr. Hunt desired the meeting to keep down their enemies. The observation could not possibly have been meant for the soldiers, who were not at the time on the spot. He saw the yeomanry advance at a quick pace round Brown's cottage and form in a line opposite Mr. Buxton's house. He afterwards saw them during their progress to the hustings, and did not see the least resistance opposed to them by the people. He saw no brick-bats, sticks, or stones flung at them as they advanced; if such had been thrown he must have seen them. The place where the yeomanry charged was opposite his window; he saw no sticks held up against them; some constables held up their staves. The cavalry were within 20 yards of where he stood, and he did not hear them say what they wanted at the hustings. The staves appeared to be held up by the constables to protect themselves from the swords of the cavalry.

Mr. Justice Bayley—That must not be asked.

He was in the window with Dr. Earnshaw and Mr. Bancroft (two of the Society of Friends). They were family men, and expressed no apprehension for the safety of their families. He saw no resistance offered to the cavalry, except from the density of the crowd; the people could not get out of the way.

Mr. Hunt.—How did they get up to the hustings, if the crowd could not get away?

Mr. Justice Bayley—Do not ask that.

Witness said a passage was kept up nearly to the hustings by the constables; he saw Mr. Nadin and others pass it. If a person from his window said that a constable wanted to

get up, it must have been heard. Nadin was frequently within hearing of Mr. Hunt; he (Nadin) was never disturbed whilst walking up and down through a cordon of constables. He did not see a cordon of people around the hustings. From what witness saw, Nadin, he thought, might have passed up to the hustings; he (witness) could certainly have got there. The people stood about the hustings, in the ordinary way; he was in a second floor, and much nearer the hustings than Buxton's house; about 85 yards nearer. If bludgeons were thrown, he must have seen them; he saw no appearance "of disciplined troops in the crowd, ready to fight for Hunt if occasion offered" (the words of a witness for the prosecution). He did not hear Mr. Hunt say, they (the soldiers) were very few, and the meeting a host against them. He merely heard him propose to give them three cheers. When the soldiers came, many at the skirts of the crowd began to run away. The cheers restored peace, and the people came back.

JOHN ROCKLIFFE *sworn.*

Lived near Lees, and was a master cotton-spinner. Was at Manchester on the 16th of August, and saw business going on there as usual, without any symptoms of alarm, or any shops shut. Mr. Peel's works were going on, and the people were looking out for the procession, rather with the appearance of cheerfulness than of alarm. Witness was afterwards at the meeting, which he described as being of the most peaceable description. In the streets he saw many respectable Ladies like those in Court, walking in the streets, free from alarm and insult. Indeed as he passed along High-street, he felt astonished at the indifference of the people. The first time he saw the yeomanry, they were drawn in line before Mr. Buxton's house, brandishing their swords. Witness was from a dozen to twenty yards before the hustings; saw the yeomanry approach; they went quite close to him. The crowd made no opposition whatever to them, or he thought he must have seen them. Nothing at all was thrown at them, or he must have seen the missiles, for he saw the whole space made by the cavalry to the hustings, and saw them coming. He watched them the way they went; He did not look whether the crowd closed in behind them. When the cavalry came through, every body strove to make the best of his way off.

MARY JONES *sworn.*

She was the wife of a fustian-cutter, residing in

Windmill-street, near St. Peter's-field. She was at home on the 16th August last, and would never forget that day. She then described the arrival of the different parties of the crowd, and also of the yeomanry cavalry. She saw no person whatever insulted by, or alarmed at, the crowd. She saw the whole of the approach of cavalry to the hustings, and no opposition was made to them by any of the crowd; if it had been made in any manner, she must have seen it. The people fled when the yeomanry came up to the hustings; a great many could not get away; many near her door were so pressed as to throw down an iron railing, and a woman was there killed.

JOHN LEES, *sworn.*

He lived at Crompton; was a master-manufacturer, and went to see the meeting. He saw the crowds advancing to Manchester—they consisted of men, women and children. A few had walking-sticks, but no other weapons.—He then described that he saw the people afterwards on the field, from the front window of the Windmill public-house, almost immediately at the back of the hustings. The meeting was most peaceable; they fled when the yeomanry came, and made not the smallest resistance, or he must have seen it. He saw Nadin on the day, walking up and down in the line of the hustings. Heard nobody call out and make way to have a warrant executed. He did not hear the smallest notice given to the people of the approach of the cavalry, nor of any warrant being about to be served.

Mr. Scarlett observed, that many of Mr. Hunt's questions to-day were founded on a misapprehension of Mr. Hulton's testimony.

Mr. Hunt denied this, and said he wanted to shew that neither Nadin nor any other person had attempted to execute a warrant; if they had, there would have been no resistance. He was under no misapprehension respecting Mr. Hulton's evidence. That Gentleman had represented Nadin's telling him he could not execute the warrant without military aid, and he (Mr. Hunt) wished to shew that there was no necessity for such assistance.

Mr. Justice Bayley—I must ultimately tell the Jury that there is no evidence from Nadin to justify the employment of the yeomanry to support the civil power in the execution of a warrant.

JOHN FELL, *sworn.*

I am a grocer in Manchester. I saw the people come up to the field on the 16th August, they were

as peaceable as this Court. Some had a few common walking-sticks, but no staves. He corroborated in all its parts the evidence already given of the quiet demeanour of the meeting, from beginning to end. He saw many magistrates in the first floor of Mr. Buxton's house, when the cavalry advanced, among them were Mr. Hay, Mr. Fletcher, and Mr. Wright, and he saw them in York since this trial commenced. He saw a tall gentleman call from the window for the Boroughreeve, and soon after he saw Mr. Nadin called. The latter went to the range of constables. The yeomanry came up, just as they were cheered by the populace, and returned that cheer; witness heard the word "forward," given from the window, or the officer at their head, he could not say which. They then advanced sword in hand, though not the slightest opposition was offered to them, and the people were making away as fast as they could. The crowd did not close in upon the cavalry as they advanced, nor brandish sticks, nor hoot, nor any thing of the kind. He had no apprehensions for the town when he heard of the meeting and saw it. The yeomanry could not have been closed in upon, for they were supported by the regular cavalry, then by the Cheshire, and last by two pieces of flying artillery.

MARY BRIANT, sworn.—Examined.

She resided at Manchester, in Lad-lane, and was at the meeting of the 16th of August; she remained on the field until Mr. Hunt was taken from the hustings. She stood upon a rising ground, near the Windmill public-house. She saw all the processions come upon the field with flags and music; and felt no alarm at all for the safety of herself or of the town. She also saw the cavalry come upon the ground, and advance towards the hustings. The special constables fell back to admit them in. She heard the people cheer the soldiers, but did not hear the soldiers return it. Did not hear the people hiss or groan at the soldiers. Saw no bricks or stones thrown, or sticks held up at the soldiers. Some few old people had walking sticks. Did not see any one offend the soldiers in any way; Saw the people running away from the soldiers.

This witness was not cross-examined.

JOSEPH WATSON, sworn—Examined by Mr. Hunt.

I reside at Oldham. I overtook and passed an Oldham party as they were going to Manchester on the 16th of August. They were going along quietly. I saw no acts of violence. I saw a few walking sticks; there were not

many who had them. None of them had long staves shouldered like muskets. I observed Dr. Healy amongst them. I walked with him. He and two others walked a little before the rest. I walked near two miles, with him. The whole party seemed in the best humour. The party halted near New Cross for a time. They made room on the road for horses and gigs, as they passed on the road. They were walking in procession, by which means they were enabled to make more room for passengers than if they had been walking indiscriminately. There were many females with the party. They did not look like an army going to invade a town. The procession marched in the same order as the Benefit and other Societies do. I did not go to the meeting until the dispersion had commenced. I was not under any apprehension for the safety of the town, nor did I conceive there was any danger.

Cross-examined by Mr. Serjeant Hullock.

I did not intend to speak at the meeting. I never pretended to be a maker of speeches. Properly speaking, I never addressed the people. I might have read something to them, but I never made an extempore speech. I perhaps read a string of resolutions. I suppose I was styled Chairman on that occasion. It was near Rochdale, on the 16th of August, 1818. It was the first and last time I was placed in such a situation. There were near one thousand persons present. I do not recollect many dissentient voices to the resolutions.

Mr. Justice Bayley objected to this mode of examination. They had a right to ask witness as to every act of his life connected with the proceedings before the Court, but no other.

Examination continued—I know Mr. Knight. I was at a meeting where he was present. It was in the latter end of July, between the 20th and 28th; I think it was the 26th. Knight was not the Chairman of the meeting. I heard him speak at it. I do not recollect his having made any allusion to the meeting of the 16th August. After passing the meeting I came up and walked with Dr. Healy. He seemed in spirits; he did not tell me what the Resolutions were; I don't think he knew himself. I heard him advise the people to be orderly, and not to offer any insult. That advice arose out of another circumstance, it was understood that the party was going to Manchester. I will swear, that, to the best of my knowledge, he did not tell me about the business of the meeting.

Mr. Serjeant Hullock, Do you mean to swear that he did not tell you what the business was to be?

Witness, Did you mean to ask me, Sir, whether he told me what the object of the meeting was?

Mr. Serjeant Hullock, That is exactly what I was endeavouring to ask you.

Witness, I swear to the best of my knowledge, he did not; we talked about the weather, and various other things.

The Court adjourned at a quarter past six.

EIGHTH DAY.

The Court met at the usual hour of 9, and the evidence for the defence continued. The examinations to-day were directed to disprove the terror said by the prosecution to have been felt at the assembling of the meeting of the 16th of August. The principal witnesses whose depositions were taken are most respectable merchants, manufacturers, and other inhabitants of Manchester.

ROBERT WRIGHT, *sworn.—Examined by Mr. Hunt.*

I live at Hollywood, about five miles from Manchester. I am a hat-manufacturer. I remember going to Manchester on the 16th of August last. My house is about a mile from the main road, between Lees and Manchester. I went to see the procession; I saw the Oldham, the Royton, and Saddleworth divisions; they were perfectly peaceable, and walking in a kind of order; they had a considerable number of women and children mixed with them. I saw no large sticks or bludgeons; they made use of no improper language; they neither insulted nor assaulted any person. This was the procession which had the black flag; I took my horse, and rode to Manchester to see the meeting; I did not go in any of the processions, nor have I any connexion with those called reformers. I reside in the neighbourhood of Mr. Duncough; I saw nothing that created alarm for my person or property, though I am a man of considerable property. I am a married man; I have a wife and family; I left them to go and see the meeting; it was assembled when I arrived; I arrived on the field near one o'clock. I was there half an hour before Mr. Hunt came on the field; I took up my station in the field near the line of constables in the space between the hustings and Mr. Buxton's house. I observed the conduct of the people; they appeared perfectly

peaceable; I saw none of them armed with large staves or sticks shouldered as a soldier shoulders his musket. I did not observe one large staff; the ground on which I stood was high, and I could see all the crowd, but I saw no large sticks or staves shouldered. I remained, and saw the military come on the ground.

Examined by the Court.

I saw them advance towards the crowd; the crowd cheered when they came on the field at Mr. Buxton's house; the military cheered again; I heard no groaning, hooting, or hissing, when the military advanced; I saw nothing done by the crowd, as the military advanced, that indicated resistance; I heard nothing said on the hustings encouraging resistance; I was within 40 yards of the hustings, and could hear what was said; I saw nothing thrown at the military; I saw no sticks held up in opposition to them, or in defiance of them.

Re-examined by Mr. Hunt.

I saw nothing that created any alarm for the safety of the town or of my property; when the military arrived on the ground, the people cheered, and the military cheered again. There was a little panic in the outskirts of the crowd as the military approached. I heard a cry of "Be firm," and I thought it was intended to allay the fears of the people, lest some accident should occur in their running away; the sudden running away would create danger; there was a panic when the military approached, and the cheers from the multitude rather re-assured me; I saw the infantry arrive in Dickinson-street. I did not hear Mr. Hunt say, turning to them, "There are your enemies; put them down, and, having got them down, keep them down." In the advance of the yeomanry to the hustings, they passed within one yard of me. During their progress from Mr. Buxton's house to the hustings, I kept my eye upon them. There were neither large stones, brick-bats, cudgels, or bludgeons, hurled at them. When the cavalry passed I did not see the people close in again. The people endeavoured to make their escape, and did not press on the yeomanry. I heard no expression of alarm at the appearance of the meeting before the military arrived. I heard no request made by the constables, at the time of the approach of the military, to have room to serve a warrant. I did not hear them state why they were proceeding to the hustings. I remained near the line of special constables all the time. I was on the field till the dispersion of the meeting.

Cross-examined by Mr. Scarlett.

I thought the military, as they advanced, were going to take somebody on the hustings. I saw the constables near them. I was about 40 yards at first from the hustings, and I retreated about 20 or 30 yards nearer Buxton's house. When I had my face towards the hustings, the line of constables was on the left. The crowd was very thick towards the hustings. I attended the meeting of January. I was at no meeting of blanketteers.

How did you receive notice of the meeting?---I saw it in the papers.

The *Manchester Observer*?---Yes.

Do you take in that paper?---No.

Did you see it at the village, or in what house did you see it?

The Court objected to this as no evidence.

What number of the *Manchester Observer* did you see?---I saw the Saturday's paper before the meeting. I observed in it the requisition, and the signatures of persons requested to attend the meeting. I went to the meeting as a spectator. I expected Mr. Hunt to speak. I did not know Carlile, nor had I heard or read, at that time, that he was indicted for blasphemy. I say this on the best of my recollection. I cannot recolleet now that I had heard then that he was under prosecution. I did not see the *Manchester Observer* regularly. I cannot recollect that I had read in that paper an account of the Smithfield meeting. I attended the meeting in January, at which Mr. Hunt presided, but I was not at the dinner after it. I knew there was to be a meeting on the 9th. I had heard it spoken of, and I had likewise heard that it was put off. I know the defendant Johnson. I have known him about a year.

Where did you see him first?---I cannot recollect. I pass his shop in going to market, and sometimes call in. I have read in his shop the newspaper: never much. I never saw any paper but the *Manchester Observer* in his shop. I never heard him read it in his shop.

On your solemn oath, did you not hear him read the *Manchester Observer*?---Yes, I will swear that I cannot recollect that I did. I have been often in Mr. Johnston's shop, but I do not recollect how often. I heard of Cobbett's arrival at Liverpool, but do not recollect that I read it in a newspaper.

Did Johnson ask you to attend the meeting of the 16th of August?---I think he did.

Had you then heard that Carlile had opened a shop to sell

Paine's works, called the "Temple of Reason," and the "Office of the *Republican* and *Deist?*"---I have seen so in the papers.

Did you ever read Tom Paine?---Never a word of it.

When Johnson asked you to attend the meeting, had you heard of the resolutions of Smithfield?---I cannot recollect that I had. I have no knowledge of those resolutions. I cannot recollect that I was to attend the meeting of the 9th, which was postponed. I live at Hollywood. I had heard it reported that people were drilling. I never saw any drilling party in my neighbourhood. I cannot say how long before the meeting I heard of drilling.

Examined by Mr. Hunt.

Johnson never was at my house in his life. We are not on visiting terms. I never was at Johnson's house in Smedley, in my life. His shop is in the public street, in Shudehill, and it was there I saw him. I called for the purpose of hearing the news.

Did you ever see in his shop the "Age of Reason," or any of the theological works of Paine?—I never did.

Are these works sold in Johnson's shop?—No.

Questioned by the Court.—What is Johnson? A brushmaker. If I saw a newspaper lying on the table, I used to take it up and read it a little, but I never saw the works of Paine. It was a current report that there was to be a meeting on the 9th of August. It was likewise a current report that it was put off, and to take place on the 16th. I would have attended that meeting whether I had seen Johnson or not.

Did Johnson invite you to attend that meeting, or take any part in the proceedings?—I cannot recollect that he did.

Examined by the Court.—I would not have attended if I had had any reason to apprehend any thing illegal, riotous, or tumultuous at that meeting.

By Johnson.—Did witness become acquainted with me through a friend called Mr. Gee?—Yes; the first time I went to his shop was with Mr. Gee. I never heard from Johnson that drilling was going on, nor have I heard so in Johnson's hearing. I have heard that the drilling was confined to marching, and I had no reason to suppose that it went beyond marching. I never heard Johnson say anything seditious in my life.

SIDNEY WALKER, sworn.—Examined by Mr. Hunt.

I am a lieutenant in the Bengal native infantry. I am returned from India about 2 years. I was at Manchester on the

16th of August last; my family resides there; it consists of my mother, my sister, and her family, and a brother. I observed the processions on the 16th August. The people were perfectly peaceable and orderly. I went to the meeting afterwards. I saw the processions pass through Deansgate at the bottom of St. Peter's-street. I saw nothing before 1 o'clock in the conduct of the people calculated to excite fears in the respectable people of Manchester. Neither my mother nor my sister, nor any of my relatives, nor any body else that I know of, expressed fears for the safety of the town. I saw the cavalry on the field, but not at Mr Buxton's. I was on the Deansgate side of the hustings, Mr. Buxton's house being on the opposite side. Neither in the field, nor in the course of the day, did I observe any act of violence committed by the people. I saw one or two going to fight among themselves, who were prevented by those around them, who would not allow a riot to be created. I heard no threat made to any respectable person.

Cross-examined by Mr. Serjeant Hullock.

I am out of the army. I am not on pay, as I have been absent two years and a half—two years being the longest absence allowed. I am to retire from the army. I am now a student in the Inner Temple. I arrived at Manchester two days before the meeting, and heard of the meeting by common report; and I came from the country, where I was at my sister's, about a mile from Manchester, to see it. My mother lives about 400 or 500 yards from St. Peter's field. I am a member of no political society. I only knew that Mr. Hunt was to attend. I knew none of the other parties. I did not know that Carlile was to attend the meeting.

Mr. Hunt objected to questions about Carlile, as he was not one of the defendants.

Mr. Justice Bayley said, the question was legitimate, as Carlile's name was found in the requisition, among those invited to attend the meeting.

Mr. Hunt.—But none of the defendants' names are among the requisitionists.

Do you know Mr. Wooler?—Yes, I do.

Where is his shop?---In Fleet-street.

Is not Carlile's shop likewise in Fleet-street, and called the office of the *Republican* and *Deist?*---Yes.

Did you know Mr. Hunt before?---No.

Had you seen him before?---Yes.

Where?---At the Crown and Anchor tavern.

When, or on what occasion?---After the death of Sir Samuel Romilly.

Who presided at that meeting?---Sir F. Burdett.

Did you see any other political characters there?

Mr. Hunt objected to this question: he saw no reason why all the persons that he ever met with should be dragged forward in court.

The examination of the witness proceeded.---I was not at Guildhall on Carlile's trial. I never saw Mr. Hunt at any other place before the 16th of August except at the Crown and Anchor. I remember seeing the procession coming into Manchester. The divisions marched in order. I do not know whether they kept the step or not. I cannot judge of the numbers. It was said that there were between 50,000 and 100,000, but I could not judge how many. I heard Mr. Hunt's address. I saw the carriage of Mr. Hunt at a distance coming to the field.

Re-examined by Mr. Hunt.

The persons assembled were not in military order. They certainly were not so; for, as a military man, I might then have computed their numbers. I should have done so, had they been in lines. I had not heard that Carlile was convicted of any crime before the 16th of August. I never heard that Mr. Wooler had been convicted of any crime. I heard he had been tried. I never saw you in company with Carlile or Wooler. I never saw Carlile in my life. The two houses where I slept the two nights after my arrival were my mother's, in Manchester, and my sister's, two miles off. I thought the people in the field in a very unmilitary order, and not like disciplined troops. I saw none with large sticks shouldered, as soldiers shoulder their muskets.

Did the people round the hustings appear like disciplined troops, ready to defend and protect Hunt if any molestation was offered?—No, certainly they did not appear ready to fight, for they had no arms.

Examined by the Court.

As a military man, I did not, from the appearance of the procession, think that the people must have been drilled. It did not strike me that they must have been drilled, either from the sound of their feet, or from any other circumstance. To the best of my belief they did not look up like soldiers: their ranks were at some paces distance---so far were they from being locked up.

W. THELWALL, sworn—Examined by Mr Hunt.

I am a builder; I reside at Manchester; I was there on the 16th of August last. I live about 200 yards from the place of meeting. I have a wife and family. I live in Loyd-street. I saw some of the processions coming into Manchester on the 16th; they came peaceably, in the same manner as they walk at club-feasts, I was employed that day about my own business. I felt no alarm, from what I heard or saw, for the safety of the town or of my family. I have considerable property in Loyd-street. Nothing that I heard or saw induced me to believe that my property was in the slightest danger. I was not much out of the house till about 12 o'clock. None of my neighbours or any other person expressed alarm. I saw processions come in like benefit clubs. There was nothing to distinguish them. Some had walking-sticks. They were accompanied by females and children. There was no closing of shops, locking of doors, or barricading of premises before 8 o'clock. I went to the meeting about half-past 12. I was in the outer part, adjoining my own house. I saw great numbers of Manchester people there, my townsmen and neighbours. None of them expressed any consternation or alarm before the soldiers came on the field. I did not see the black flag. I saw no body of men with large sticks shouldered like muskets. I was in the northern corner of the field, at the angle opposite to Buxton's house. I stood upon some timber, and commanded a view of the meeting. I saw the cavalry arrive, and form in front of Buxton's house. I saw them move towards the hustings.

Examined by the Court.

I saw no attempt to oppose the military. I heard no groanings, hootings, or hissings at them. I saw neither stones, sticks, nor brickbats thrown at them, or thrown up in the air as they passed. I saw no sticks held up at them. I was in a situation to have seen it if any thing of that kind had occurred, although I was at a considerable distance.

Cross-examined by Mr. Serjeant Cross.

I was stationed at the corner of the field lower down than the Quaker's meeting-house. I knew Mr. Johnson. I did not know him till within three days of the 16th of August. I saw Mr. Hunt before at the other meeting in January. I heard of an additional number of special constables being sworn in, and of an additional military force brought into the

neighbourhood. I heard of a meeting of the justices on the Saturday or Sunday before. I considered them not expressions of alarm, but precautionary measures. I heard no expressions of alarm for the peace and safety of the town, on account of the people assembling. I heard of the postponement of the meeting of the 9th. I did not understand that members of parliament were to be elected at that meeting, though I had heard of what took place at Birmingham.

The learned counsel here handed a paper addressed to the inhabitants of Manchester, dated Smedley-cottage, August 11, and was asked if he had read it.

Re-examined by Mr. Hunt.

I cannot swear I saw this paper before the meeting. It might be after it.

ROBERT GRUNDY *sworn.*

Before he proceeded, he begged to know from the learned Judge if he could demand his expenses. He was an unwilling witness; he had been here for nine days, and had received nothing.

The Judge said he had no power in a criminal case to direct the payment of expenses.

Mr. Hunt said he would contribute his share. We have a great number of witnesses, said he, and those who can support themselves are the last paid.

Witness said he acquiesced and was examined.---I am a woollen-manufacturer. I reside in Salford. I attended the meeting of the 16th of August. I saw some of the processions going to the meeting. I went to the field at half past 11. I was a special constable on that occasion. I remained till between half-past 1 and 2 o'clock.

Mr. Hunt here said, be so kind as to state what you saw, as I have no deposition. The witness proceeded.---I came to the field at half-past 11, and remained till you (Mr. Hunt) came. I remained till the cavalry came. I saw the persons march up in procession. I was not in the line of the special constables all the time. I sometimes was. I was about 15 or 20 yards from the hustings. I cannot speak precisely as to distance. I went to Mr. Buxton's house when the cavalry made their appearance, and had partially dispersed the meeting. The processions came regularly with colours and music. They made no particular impressions on my mind at the moment. They created no terror or alarm in my mind. They had no offensive weapons, neither clubs nor staves shouldered like muskets. Some of them had walking-

sticks, such as people usually carry to places of public resort. I saw no insult or violence offered to any persons whatever. I was surrounded by a thick multitude. The persons round me were aware that we were special constables. Some of the constables showed their staves. I perceived no insult offered to them.

Examined by the Court.

No opposition was made to the cavalry on their advance. I saw nothing done to intimidate the cavalry. They were neither hooted at, hissed at, nor groaned at. They were received with three cheers. I saw neither stones, sticks, nor brickbats thrown at them, or thrown up in the air as they passed. I did not keep my eye on the cavalry all the time they were advancing. I endeavoured to get to the extremity of the meeting, to the right of them.

Examined by Mr. Hunt.

From what I saw of the meeting, I was not at all apprehensive for the safety of the town, or of my own person. I was not alarmed till I saw the cavalry, for this reason---that I had heard the magistrates were not to interfere, directly or indirectly, with the meeting. I felt no alarm at the result, if they did not interfere. I saw the yeomanry come up. I then endeavoured so get away, as did those about me.

Mr. Hunt asked, if the witness was alarmed at the military?

The witness was not allowed to answer the question, as the conduct of the meeting was alone under inquiry.

Cross-examined by Mr. Scarlett.

The special constables are generally persons of respectability. I have been one for two years. I often heard of drillings, before the meeting; but I felt no alarm. The bodies marched in regular order to the meeting. They came in sections. By sections I mean a number of persons abreast. I saw several bodies enter after I came to the field. They marched something like a file of soldiers. I perceived no leaders or conducters of the procession. I perceived no persons who had any marks of distinction like bits of laurel. I think they marched like people that had been drilled. I was not sufficiently near them to say whether they were drilled. They marched in more regular order than people usually observe in walking through the streets. I certainly thought they would not have walked in this way without some instruction. The impression on my mind was, that

they had received some instructions. As to drilling I know nothing. The number assembled I cannot tell; but I never saw such a meeting. They marched peaceably along. When they arrived on the ground they got round the hustings. I will give you my reason for being satisfied, and not alarmed, as to the result. It was because I had heard that the magistrates intended to let the meeting pass off quietly.

Mr. SCARLETT.—Supposing that at that meeting speeches had been delivered of an inflammatory nature by various speakers, and in ridicule and contempt of the local magistrates, would you have considered the town safe with such a meeting?

Witness.—I should conceive that speeches of that kind would have at all times a bad effect certainly; but I never heard any such in my life, and therefore cannot be a judge.

Mr. SCARLETT then read an extract from the *Manchester Observer*. It went on thus:—"The farce of petitioning is over; a million and a half have petitioned for reform. The greater part of these were rejected, and none have been attended to; and should the people ever again stoop to any thing in the shape of petition, they will deserve what they now suffer for their dastardly conduct; but we are confident that the spirit of the country will never again condescend to pray to those whom the people themselves ought to delegate. The most determined men in the country are in the ranks of reformers. The clans of corruption, where can they find such writers?"—

Mr. SCARLETT had read thus far, when Mr. Hunt objected to this extract. It might be the speech of the learned gentleman himself, for aught he knew. It was as much his as any of the defendants.

The Judge said, that the prosecutors had a right to suppose that any speech, however bad, was delivered at the meeting, for the purpose of asking whether, in the opinion of the witness, such a speech in such a meeting would have produced danger to the town?

His Lordship, having taken the whole of the extract into his notes, it was read to witness. It went on to ask, where could the clans of corruption find such writers as Cobbett and Wooler, and such determined men as Wolseley and others? It then alluded to what it described as the state of the country, burdened with taxes, with crowds of black cattle, the bishops, and a pampered soldiery, ready to give a bullet when the people asked for bread.

"Now," continued Mr. Scarlett, "suppose such a speech

as this had been delivered at the meeting, would you consider the town safe ?"

Witness.---I should consider the speech as very improper; but I can't say positively that I am competent to answer the question; I am no politician.

Mr. Scarlett.---Well, I shall put it in another way. Were many of the meeting of the working classes ?

Witness.---Yes; the great portion of them appeared to be so.

M. Scarlett.---And had been complaining of distress before this ?

Witness.---Yes; I dare say.

Mr. Scarlett.---And perhaps exasperated at that distress ?

Witness.---I dare say some of them felt so.

Mr. Scarlett---Then in a meeting of such numbers as you have described, and under such circumstances, would you have thought it safe to the town of Manchester to have such a speech delivered as I have read ?

Witness.---I should think it would be improper, and would irritate them.

Mr. Scarlett.---Suppose such a resolution as this had been proposed [Here the learned gentleman read one of the resolutions which were proposed and carried at the Smithfield meeting, where Mr. Hunt presided. Its substance was, that after the 1st of January, 1820, the people should not conceive themselves bound in justice or equity to obey any act of that body calling itself the House of Commons, except it proceeded from a full and fair representation of the people.] Suppose, continued Mr. Scarlett, such a resolution as this had been passed, would you have considered it dangerous ?

Witness.---I think it would be likely to produce irritation. I am not sufficiently acquainted with the dispositions of the people to know. Many of them were suffering, certainly. I am not aware that any such speeches or resolutions were made or circulated.

Mr. Scarlett.---But, if it were so, would you have considered it dangerous ?

Witness.---That would depend on the degree of irritation which existed among the people.

Mr. Scarlett.---But would not this be calulated to produce irritation ?

Witness.- -I have said so.

Mr. Scarlett.---Did the appearance of the parties coming to the field show to you a previous arrangement ?

Witness.---I should think there was such.

Mr. Scarlett.---You say you never saw such a meeting

before. Am I to understand you then to say, that such a meeting coming in large bodies from a distance of 10 or 11 miles would not be dangerous?

Witness—I should think where there were greatest numbers there would be the greatest danger at all times; but the character of that meeting appeared peaceable. I never said, to my knowledge, that such a meeting was dangerous, and ought to be dispersed. I do not know Mr. Carlile.

Re-examined by Mr. Hunt.

I have heard there was a public meeting in Smithfield at which you presided.

Mr. Hunt—Suppose that such a resolution as that you have heard was proposed and passed at Smithfield without producing ill effect, have you any reason to suppose that it would have produced a worse effect in Manchester than in London?

Witness—I have no reason to suppose so, except that perhaps the people of Manchester might have taken a greater interest in the question than in London, and that might have produced a different effect.

Mr. Hunt—Have you ever heard that the resolutions passed in London produced any bad effect?

This was not answered.

Mr. Hunt—What reason have you to suppose that a stronger feeling existed on this subject in Manchester than in London?

Witness—Because Manchester is a manufacturing district, and many persons are out of work there.

Mr. Hunt.—Suppose such a speech as you have heard had been read at Wigan, have you any reason to suppose it would have produced at Wigan a worse effect than at Manchester?

Witness.—I have no reason to suppose so; both are in manufacturing counties.

Mr. Hunt.—Suppose that a public man, of great talents and of high legal knowledge, had made such a speech as this:—(Mr. Hunt had in his hand a volume of DOLBY'S PARLIAMENTARY REGISTER, and was proceeding to read an extract from a speech of Mr. Scarlett's on the question of the Manchester affair, when he was interrupted by

Mr. Sergeant Cross, who objected to the extract being read, or to any question on it being put to the witness.)

Mr. Hunt.—It is not one of your speeches Mr. Cross. I dare say I shall never have to select from any of your speeches in Parliament.

Mr. Justice Bayley.—I must have no observations of this sort.

Mr. Hunt.—My Lord, I am here supposing a case of a speech delivered somewhere, in which advice is given to the whole nation to *demand* an enquiry into the proceedings at Manchester, and I wish to ask the witness whether, if such a speech were delivered at the meeting, would he have considered it dangerous?

Mr. Justice Bayley.—I think you have a right so to do.

Mr. Scarlett observed, that Mr. Hunt was here putting a report of a speech in Parliament as evidence, which ought not to be received.

Mr. Hunt denied that he offered this as a speech delivered in Parliament, as evidence; and observed, that what Mr. Scarlett had said was a falsehood.

Mr. Justice Bayley.—Mr. Hunt, I must tell you, that, if you do not conduct your case with decency, I must act with the firmness that belongs to my situation here. Your observation is highly improper. I can make allowance for feelings on such occasions; but your conduct in this is highly improper. Mr. Scarlett is going to object to the question you propose. I shall hear what he has to offer, and then you shall be heard in reply.

Mr. Scarlett objected to the extract being read, or any question founded upon it. It was not a speech addressed to any public meeting. It purported to be the report of a speech delivered in the House of Commons, and could not be made the subject of examination here.

Mr. Justice Bayley.—I shall allow the question to be put, and the extract read, on the same ground that I allowed you to put the question respecting the extract from the paper—that is, that supposing such words had been used, what might be their effect on the meeting?

Mr. Hunt—I hope your Lordship will allow me to answer the observations of the Learned Counsel.

Mr. Justice Bayley—I shall not decide the point until I hear you reply.

Mr. Scarlett—Our object in putting the question is to the existence of disaffection, and we propose to do so by previous circumstances.

Mr. Sergeant Cross—And we propose further to show that the speech (that mentioned in the *Observer*) was delivered by one of the defendants at a former meeting.

Mr. Hunt was about to reply, when

Mr. Justice Bayley wished to see the book from which the extract was intended to be given. It was handed to his

Lordship, who, having read it, showed it to the Counsel for the prosecution.

Mr. Hunt, after a moment, proceeded to answer the objections offered. He began by apologizing to his Lordship for the indiscretion into which he had fallen, and assured him, that, though he might have been betrayed into improper warmth, it did not proceed from any disrespect towards his Lordship. With regard to one question argued by the Learned Counsel, on the speech in the *Manchester Observer*, it went on the supposition that such a speech had been delivered, and he wished to infer that a bad effect might have been produced by it. Now he submitted that only a part of that paper (*The Observer*) was proved, and any thing which appeared in another part of it ought not to be adduced against him, unless it bore directly on the matter before the Court. He begged to refer his Lordship to the case of the King v. Perry. There it was attempted to bring some matters in another part of the paper (in which the alleged libel was) against the defendant; but it was held that no other parts of it could be adduced, except they bore directly on the matter charged. The extract to which he was willing to call the attention of the witness, he only supposed to be a speech delivered somewhere, and he had, he maintained, a right to ask, whether such words, addressed to the whole nation, and advising them to demand an inquiry, would be dangerous, if delivered at the Manchester meeting.

Mr. Scarlett.—I appeal to your Lordship whether this is evidence which can apply to the present case. It is my business to show, if I can, the irritation which might be excited by improper speeches delivered to large bodies of men, but the speech now offered was not delivered where such feelings of discontent could be excited. I do not mean to deny or disavow any expression contained in that speech; but I ask, is it decent in a court of justice to offer that which occurred in Parliament, and which could not be published without a breach of privilege? No Judge could allow, or Jury receive, as evidence, a report of what occurs in Parliament. If I had published my speech, and that it contained any thing of a seditious nature, I might be indicted for it; but a report of what passed there is not evidence, and I submit that what cannot be proved ought not to be supposed. I again repeat, that I do not, and shall not, disavow what is said in that speech, and I have no personal objection to its being quoted; but, standing here as I do, I am bound to oppose it.

Mr. Hunt.—I hope your Lordship will not think that I offer this as a speech in Parliament.

Mr. Justice Bayley.---If Mr. Hunt had put this extract as a speech delivered in parliament, and asked an opinion of the witness on it, that certainly could not be allowed. But here the case is different. The question is, whether such and such speeches, if addressed to the meeting on the 16th, would have produced danger to the town of Manchester? The speech is only a supposed thing, and the question asked is as to the effect which such words, if used, might have been likely to produce. It is in that sense alone that I could allow the question to be put; and it was on the ground that the language of the former extract was from Mr. Scarlett's own imagination that I allowed it to be read. But Mr. Hunt, in putting this question, might use the same words that were used in parliament on another occasion; and, as a man, I might know that they were a report of something that passed there; but as a lawyer, and in the discharge of my duty here, I cannot refuse them. It is a matter of delicacy, and I myself would rather the question were not put; but still I think the defendant has a right to put it.

Mr. Hunt---Your Lordship has now allowed me to put the question, but I should not be doing justice to my own feelings if I were to put it, after what has just fallen from your Lordship; I shall therefore, my Lord, waive it*.

Re-examination continued by Mr. Hunt---Do you not think that the public notice and advertisements of the meeting might have brought the separate parties into Manchester, without a previous communication between them?

Witness---It is possible certainly; but I should suppose, the way they came was arranged. I saw nothing in their manner that day---nothing in the deportment of the people---different from other public occasions, except in their being in procession. I have seen benefit societies. They are very frequently attended with banners and flags. I have seen the proclamation of peace. I have seen the people walk abreast, but not in such numbers as on the day of the meeting of the 16th.

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* [The following is the Extract from Mr. Scarlett's Speech, upon which arose the argument:—"The people meet to petition. The magistrates issue a warrant to arrest certain individuals; and that being executed, the yeomanry disperse the crowd at the edge of the sabre. Three days afterwards the thanks of the Prince Regent were given both to the civil and military authorities; and what was the unavoidable inference, but that opinions, however absurd or preposterous, were to be put down by the bayonet, and that ministers intended to act on a system of military coercion? Did not this demand inquiry? Did not this call upon the whole nation to insist that inquiry should be instituted?"—*Dolby's Parliamentary Register, Second Session, page* 13.

By the Court---Do you mean by "previous arrangements," the time or the manner?

Witness---I mean both, my Lord.

By the Court---Without any meeting of delegates, do you think the arrangement might have taken place as you saw it?

Witness---I should not think it absolutely necessary that there should have been previous arrangements between the several places to come as they did, but it is probable there was.

THOMAS ROTHWELL *sworn.—Examined by Mr. Hunt.*

I am a tanner, and live at Cheetham, about a mile and a half from Manchester. I saw the people go to Manchester. I live near to Mr. Heath (a witness for the prosecution). I saw the Bury division move on five abreast, and they went peaceably. I heard no violent expression from them. There were women and children, some of 12 years old, with them. They walked five abreast as well as the men. There were a great number of women. I can't say how many. They were in the proportion of eight men to one woman or child. There were children of both sorts (boys and girls). I heard them say they were going to hear Mr. Hunt. I saw nothing in their manner or conduct to excite the least fear in me for my person or property. I have known Mr. Johnson seven years. I never heard him say that he ever intended to overturn the government.

Cross-examined by Mr. Littledale.

There might be about 3,000 persons in the Bury party. Bury is about 9 miles from Manchester.

JOSEPH SCHOFIELD.—*Examined by Mr. Hunt.*

I reside at Hollingwood, near Manchester. I am not in business. I saw one of the parties going to Manchester on the 16th. I think the party was from Oldham. I saw the black flag with them. I observed their conduct as they passed along. It was peaceable, orderly, and quiet. I did not go to Manchester that day. I received no insult from the party. Few of them had sticks, and these were common walking-sticks. None of them had large staves shouldered as soldiers do their muskets. I felt no alarm, and saw nothing to excite it. I never heard any thing said about making a Moscow of Manchester.

SAMUEL SLACK *sworn.—Examined by Mr. Hunt.*

I live at Manchester, in Windmill-street. I was at home on the 16th of August last. I was confined the greater part

of the forenoon in my warehouse in Oldham-street. I saw several processions pass Oldham-street. I went home to see the meeting. I did not think my property in any danger. My house was in that situation that I could look over the whole of the area. (St. Peter's). I was in an upper room, where I could see the whole of what passed. I was about 30 yards from the hustings, and had a view of Mr. Buxton's house. I saw no procession enter the field but that which came with the carriage. The others had previously arrived. I was busy that morning; business went on as usual. I did not see any person shut up shop and give up business that day. I did not see or hear any person who expressed any alarm for the safety of the town that day. I saw no persons march by with large clubs or staves; I saw walking-stieks —common walking-sticks. Saw no persons in the fields with staves shouldered as muskets, nor did I see any thing in the field, before the military arrived, which excited in me or in those about me any alarm. I went from my own house to within 8 or 9 yards of the hustings; if I had wished to have gone to the hustings, I saw nothing to prevent me, except that the press was uncommonly great, that's all. My intention in going to the hustings was to hear the speeches. I remained till I heard a man on the top of a house say that the cavalry was coming. I had seen all the meetings there before, and saw nothing in this different from the others, except that this was larger. I had seen 3 or 4 meetings before, and they met and dispersed peaceably. I did not see the dispersion of the blanket-meeting. When I heard that the military were coming, I made the best of my way to my own house. I heard some people say "stand still," and that the military would not hurt them. When I got to my window, the cavalry had got upon the field, and were ranged parallel with Mr. Buxton's house. They were cheering the soldiers, and in a short time the cavalry cheered in return. They flourished their swords, and charged down towards the hustings.

By the COURT.—At the time the cavalry arrived on the ground, was any thing done to oppose or resist them?

Witness.—I did not see any thing to resist them, except that the crowd was dense. I saw nothing done to resist them. There was no hooting, hissing, and groaning at the cavalry. I did not see any stones, or brickbats, or sticks thrown at them, or thrown up in the air. I was looking that way. I saw no sticks held up at any time in defiance of the military. I could not see over the hustings, but I could see a wing of each of the cavalry.

Cross-examined by Mr. Sergeant Hullock.

I saw several meetings before. I went as a spectator, from curiosity. This was the largest I ever saw. I don't mean to say that the former meetings had come in procession. There might be 10,000 or 15000, but I cannot say exactly. I am in the service of M'Farlane and Barbaud, shippers at Mancehster. It was their property which was in Oldham-street. Neither of my masters are here to-day, we have only one in Manchester.

Re-examined by Mr. Hunt.

I did not hear my master or any body else express any fear for their property. If we had been afraid, we should have shut up the warehouse and gone home: we did so the next day.

Q. How were you employed from the time you went to the meetmg till 4 o'clock in the afternoon?

A. Why in the beginning of the afternoon we were assisting the wounded.

JOHN MOLINEUX, sworn.---Examined by Mr. Hunt.

I live in Market-street, Manchester, I am a lamp-manufacturer and tin-plate-worker. Market-street, though a narrow street, is one of the principal streets and great thoroughfares of Manchester. I left my shop about 11 o'clock. The street was crowded several times in the day, but I did not see any processions go through it. I did not shut up my shop in consequence of what I saw. I know Mr. Styan, the gun smith. He is my next door neighbour. I did not observe his shop shut when I went to the meeting at eleven o'clock. I did not then observe any shops shut up about me. I left my wife's sister to take care of the shop. If I had apprehended any danger, I would not have left my shop at all. I returned to my shop before 12. I saw no necessity then of shutting up my windows. When I returned from the meeting, it was by the way of Back King-street. I saw no shops shut up, except the toy-shop and the saddler's shop at the end of the street. I went again there at twelve. I met my daughter on the ground. She expressed a wish to go, and went with her uncle. My daughter is 16 years of age. I remained on the field till the meeting was dispersed. My daughter remained with me and my brother-in-law. I saw the military arrive.

By the Court.—I was in a situation to see them from the time they arrived in front of Mr. Buxton's. In the course of that day I saw nothing calculated to create in my mind, or

the mind of any body with whom I conversed, any alarm. I heard no alarm expressed. No opposition was made to the military that I saw. There was no groaning, or hooting, or hissing at them. I perceived nothing done to intimidate them. I saw no stones, or sticks, or brickbats thrown at them, or thrown up in the air.

Cross-examined by Mr. Serjeant Cross.

I was at the meeting before, of a similar kind. It was when Mr. Hunt was there. I believe Mr. Hunt presided on that occasion. I do not remember Johnson on the hustings. I dined with Mr. Hunt and others that day, at the Spread Eagle. There were speeches and toasts. I heard a toast given "To the immortal memory of Thomas Paine;" Mr. Hunt was then in the chair.

Mr. Justice Bayley.—Is this evidence?

Mr. Sergeant Cross and Mr. Scarlett submitted that it was evidence, if it showed that Mr. Hunt had, by speeches or toasts, incited to disloyalty or disaffection.

Mr. Justice Bayley said, he would allow them to put any question as to the character of the witness: the witness had admitted that he was present when an improper toast was given; but then this was at a dinner in January, and it did not follow that because a man was disloyal in January, he should also be disloyal in August.

Mr. Scarlett observed, that similar evidence was allowed in the case of Horne Tooke and Hardy.

Mr. Hunt replied, that that was part of the case, and did not refer to any time previously to the particular acts charged. He (Mr. Hunt) had been invited to the dinner, and any thing which fell from him there, or which was said by others, could not, he submitted, be now urged as evidence against him, unless it could be shown that it tended to produce the conspiracy charged.

After some long and desultory observation on both sides, Mr. Justice Bayley, who had in the mean time looked into the case of Horne Tooke, decided, that the question was one which ought not to be put. It was not, he conceived, proper to bring any act of the defendants against them now which occurred before the period of the present charge. If an indictment were preferred against a man for perjury, it would not be admissible evidence to say, that up to the period of the alleged crime he had been in the constant habit of not telling the truth.

It was then contended by the counsel for the prosecution,

that the question ought to be put, as it might affect the character of the party.

Mr. Justice Bayley admitted it might in another shape; but though it would be legal in another manner, yet, having got at it in an illegal way now, he held that it could not be received. As the defendant had given evidence of character, it was competent to the prosecutors to give also general evidence of character, but not in this way.

The question was not admitted.

Examination continued.—Mr. Hunt was in the chair at that meeting. I do not remember Johnson, Knight, Bamford, or Moorhouse being present. I believe Mr. Hunt made a speech after dinner. I did not hear him say that he would be amongst them soon again. I had no expectation of the kind. He was, I believe, called on to take the chair by the committee. I was not one of the committee. I was not at Johnson's house before the 16th of August last. I never was there in my life. I attended the meeting on the 16th of August. I cannot say I disapproved of the objects of that meeting.

ISAAC WOOD sworn.—Examined by Mr. Hunt.

I live in Back Queen Street, Manchester. I am a tanner. My residence is about 200 yards from the place where the meeting was held. I have a wife and eight children. I was in Manchester on the 16th of August last. I went to the country, on Saturday, the 14th, and returned about one o'clock on the Monday. I did not find on my return, that any thing had stopped my business. I waited at the meeting for a few minutes. There were a great number of persons assembled together. I then went home to my family; but I did not do so on account of any alarm I felt from witnessing the meeting. I saw nothing to excite alarm. I went home, as usual to my dinner. I did not find my wife and family in a state of consternation. None of them expressed any alarm to me. I have no reason to suppose that they felt apprehension or alarm on account of my absence. I returned to the meeting, which was not then dispersed. The cavalry had just come to the ground. I was opposite the end of the Quakers' meeting. I saw a part of the cavalry come in. They advanced towards the hustings, and no resistance was made to them by the crowd. They went up close to the hustings, and surrounded them. I was in a situation where I must have seen any opposition made by the people to the military, had resistance taken place. I saw the cavalry from the time they were seventy yards from

the hustings, until they came quite close to them. They were not, that I know of, hissed, hooted, or groaned at. I saw nothing thrown at, or lifted up against them. If any stones, brickbats, or sticks, had been hurled in the air, I was in a situation to have seen them.

Cross-examined by Mr. Littledale.

I have been acquainted with Mr. Johnson for a short time. I am one of his bail. I am not bail for any of the other defendants.

Re-examined by Mr. Hunt.

I have been in the volunteers at Manchester. I was in a corps who clothed and armed themselves; but I left it about two years before it was disbanded. I was connected with it for seven years. I entered about the year 1802. It was a rifle corps.

Mr. Hunt here expressed a desire, that, as so much evidence had been given, in proof of certain facts, it would be well if the learned Judge were to state to the Jury that those facts were fully proved, and that there was no need to call further evidence to them.

Mr. Justice BAYLEY.—I cannot at this moment suggest any thing to the Jury.

Mr. JAMES SCHOLFIELD.—*Examined by Mr. Hunt.*

I am a dissenting minister, and live at a place called Hulme, near Manchester. I was at Manchester on the 16th of August last. I came in on business. I saw several of the processions coming into Manchester. I went there to attend professional business. There were many women and children with the parties.

Mr. Justice BAYLEY.—That fact appears to be sufficiently proved.

Mr. Scarlett.—It is not only proved that women and children were present, but even their proportion was spoken to.

Examination continued.—I saw the people going to St. Peter's-field. The processions exhibited the utmost regularity, jocularity, and good humour. I saw no person insulted. I was situated between the house where the magistrates were and the hustings. I was in an elevated situation, which commanded the whole meeting. I observed a double row of special constables about ten yards before me. They extended from Mr. Buxton's house to the hustings. I was informed that the magistrates were at Mr. Buxton's house; and I was near enough to see some of them through the window. I was there when you arrived on the field. After

you had arrived, and got on the hustings, a board was exhibited, bearing in large characters the words "Order! order!" As far as I could perceive, every disposition was shown by the people to obey that direction. There was no interruption by talking or otherwise. The different divisions had bands, which played the air generally called "Rule Britannia," and the national anthem of "God save the King." When the latter was played, the people, for the most part, took off their hats. I felt no alarm, nor did I hear any person express alarm at the meeting. I was highly gratified to see so numerous an assembly behaving in so peaceable a manner. I saw the military arrive; I perceived no opposition to have been manifested towards them. I saw nothing held up except the hats of the people. As the cavalry advanced the people held up their hats as a sort of guard against the cutting of the swords. The people were fleeing away as fast as they could. There were no brickbats, stones, or sticks, hurled against them. They passed within 10 yards of me. The people attempted to disperse immediately; but the crowd was so intense that they could not.

Cross-examined by Mr. Scarlett.

When the cavalry advanced the people at the extremity of the crowd fled, but those immediately contiguous to the hustings closed in. Some of the constables followed the cavalry; others were mixed with the crowd, and could not get out. I preach at a church called Christ-church. I never saw so large a congregation at one time before. Though my voice is good, I could not have made all the people at the meeting hear me. I could have made upwards of 20,000 of the people hear me. I think the meeting was a pleasant and friendly one. There were 80,000 persons present. I was highly gratified at the sight of a meeting so numerous and so peaceable. I did not disapprove of the meeting—I approved of it "as a people." I could not approve of the meeting, particularly, unless I knew the intentions with which it was called. I saw the placards convening the meeting. I saw several flags. One of them had two hands united, and the word "union" written under them. I saw another inscribed, "No corn laws." I also saw a flag, on which were the words "Annual parliaments, universal suffrage, and vote by ballot." I did not consider those banners as pointing out the objects for which the meeting was convened. They only spoke the sentiments of those who carried them—that universal suffrage, annual parliaments, and vote by ballot, would be agreeable to them. I should approve of a meeting called

for the purpose of inculcating doctrines of this kind, if they were beneficial to the people. I have written for several newspapers, but not particularly for the *Manchester Observer*. I am not a hired writer. I wrote two pieces for the *Manchester Observer*. Those pieces were not of a political nature, farther than the Scripture connected them with politics. The Scripture does not make use of the words "Annual Parliaments" and "Universal Suffrage." The Scripture may, in many points of view, be connected with politics. One of the articles I wrote was, I believe, before, the other since the meeting. I did not sign my name to either of the essays. There was no particular title to either of them. One of the articles probably may be "A letter to the subscribers of the Manchester declaration." Several letters were written on that subject. My address was to the ministers---to the ministers of the Four Evangelists---I mean to the clergymen who had signed the declaration, in support of the police of Manchester. I wrote to disapprove of murder---to express my opinion that a minister ought not to approve of murder. I did not condemn the clergy. I would not condemn any one. I wished to convince. I blamed the clergy. The Scriptures were my guide. The declaration was signed by many of the clergy of the church of England. It was not signed by the majority of the dissenting ministers. I am not attached to any sect in particular. I and my flock conform ourselves to the Scriptures, and act according to them. We are denominated "*Bible Christians*." I did not know that Mr. Carlile was to be present on the 16th of August. I am not acquainted with that gentleman. I saw two or three of my congregation present at the meeting. They were not on the hustings.

Re-examined by Mr. Hunt.

I believe my two letters were written after the 16th of August. One of them went to condemn the conduct of the magistrates who had signed a declaration in favour of the conduct of the police of Manchester on the 16th of August. I cannot speak positively as to the time when I wrote the articles. They were signed with the initial "S." My first letter contained a disproval of the prominent part which some of the clergy had taken in political matters.

THOMAS BROOKS, *sworn.—Examined by Mr. Hunt.*

I live at Stockport, and am a pattern-drawer. I was at Manchester on the 16th of August last. I was on Mr. Moorhouse's coach at the Bulkeley Arms, and saw a great

number of people pass by. Moorhouse was present with me most part of the time. I went to Manchester in company with Moorhouse. We passed the people about a mile from Stockport. They were not walking regularly, but in an indiscriminate manner. There were women and children amongst the crowd, I saw no bludgeons with the people. Some of them had walking-sticks. The people passed us at the watering-place where the coach stopped. All was quiet and peaceable. We passed the people again before they got to Manchester, at Hardy-green-bridge. We proceeded straight to the White Bear, situated in a street called Piccadilly. The Ashton people were in sight when we approached the White Bear. Hardy-green is about a mile from the White Bear. I know Mrs. Moorhouse. The coach overtook her on the road, about a mile and a half from Stockport. She was taken into the coach. She was then pregnant. The horses were taken from the coach at the White Bear, and the people wanted him to go on to the meeting with the coach, which, he said, he was willing to do, if he were paid. The coach did not, however, proceed to the ground, Mr. Moorhouse being afraid that people would climb on the roof and break it down. I went to the field soon after one o'clock. Moorhouse was not with me. I saw him come to the field in a carriage. I was then taking some refreshment in Deansgate. The carriage in which you were got within 5 or 6 yards of the hustings. I did not see Moorhouse quit the coach, or go upon the hustings. I was the person who handed down the chair to enable you and the others to get up on the hustings. I was very near the hustings, and if Moorhouse was on them, I must have seen him. I was between the carriage and the hustings, about a yard from them. I saw no people locked arm-in-arm round the hustings. I saw nothing but a great crowd. I stood near the hustings till the cavalry appeared.

Cross-examined by Serjeant Hullock.

I went to Manchester by the coach, in order to attend the meeting. Mr. Moorhouse was on the roof with me and other passengers. He did not tell me what was to be done at the meeting. We had no conversation of any moment. I did not ask Mr. Moorhouse what the resolutions were to be. I knew that Mr. Hunt had been at Mr. Moorhouse's. I saw him standing near the door. I saw Mr. Hunt and Mr. Moorhouse going to Manchester, on Monday, the 9th of August. I have attended very few meetings. I was present at one that was held in January, at which, I believe, Mr.

Hunt presided. The Stockport division were mustering at a place called Sandy Brow, at Stockport. I was present at one meeting there. I never saw Moorhouse at any of the meetings at Sandy Brow. When I passed through Stockport in the morning, there might be about 80 or 100 persons assembled. We passed the Ashton division on the road. The people were walking in a straggling way, not at all like military. Mrs. Saxton and some others were in Mr. Hunt's carriage. I do not know Carlile, and cannot say whether he was there or not. The people made way "promiscuously," to admit the carriage to pass. Hunt and Johnston got on the hustings, but I lost sight of Moorhouse.

WILLIAM BROOKS *sworn.*

Was son of last witness, and corroborated his father's evidence, that Mr. Moorhouse was not on the hustings on the 16th August; he was with him in the Windmill public house when the cavalry advanced to the hustings.

JOHN HOBSON, Jun. *sworn.*

Was not in any profession; resided at Heath-green, three miles from Manchester. Was not acquainted with many of the inhabitants. Was in a house in Windmill-street, overlooking the meeting of the 16th August. He was with his uncle and friend. The house in which he was was exactly behind the hustings. He saw the meeting assemble, and conducted most peaceably; he had no apprehension whatever respecting the safety of the town. He saw the soldiers advance to the hustings. There was no disposition whatever to resist them on the part of the people; quite the contrary. There were no stones, brick bats, or clubs, thrown in the air as the yeomanry approached. He did not meet that morning a single individual who had the slightest apprehension of that meeting.

Cross examined.—He went to the meeting with his uncle, who had come over from Liverpool, and had never been at a meeting before.

JOSEPH BARRET, sworn.

Resided at Newton Heath, where he was a manufacturer, and employed from one to two hundred men. They had a warehouse also in the market place at Manchester. He was there on the 16th of August, in company with the last witness, whose testimony he distinctly corroborated in every part, respecting the peaceable demeanour of Mr. Hunt and the meeting, up to the time of their violent dispersion by the military, to whom not the smallest opposition was made.

There were no sticks, brickbats, nor stones flung about, nor was there any hooting. He did not see Mr. Hunt point to any persons, and say, "there are your enemies, get them down, and keep them down." No such thing occurred, or he must have heard it.

Cross-examined---Did not recollect any subscription for blanketeers. He was not concerned in any Reform Club.

JONATHAN HOBSON Sworn.

Who was with the two last witnesses at Manchester, also related the same description of what had occurred there on the 16th of August. He stated that he resided at Liverpool, where he was a merchant; he also had a house and a third of a warehouse at Manchester. He overlooked the whole field, where the meeting assembled, from the window of a house directly behind the hustings. He went there out of mere curiosity, and got into the house, as he did not wish to stand in a crowd. He saw no bludgeons whatever among the people; there were some common walking sticks, and about a dozen white wands, not thicker than his finger. He saw the line of special constables reaching from Mr. Buxton's house nearly, but not quite up to the hustings. The people were more compact near the hustings than those at a distance. The circle next the husings had their arms in each other prior to Mr. Hunt's coming. After that he did not think they remained linked together. It was impossible for him to see whether more than one row was linked. A small space was kept open about two yards in front of the hustings but he could not say whether it remained so after Mr. Hunt came; he thought not. The crowd was perfectly quiet, except when they gave occasional shouts. There were two persons said something to the meeting before Mr. Hunt came but he could not hear what they said, though he heard Mr. Hunt. No military (infantry) made their appearance in Dickenson-street while Mr. Hunt was speaking. He heard him say something about keeping down whoever disturbed the meeting; but no such expressions could have been addressed to the military, for no soldier was then in sight. He considered the words thrown out to any body who would venture to be riotous. He heard Mr. Hunt exhort the meeting to be quiet, and defeat the wishes of their enemies, and not to call out "silence." You then said, if any body was there to disturb the peace of the meeting, they were to put him down and keep him down. He saw the cavalry arrive, and saw nothing done by the people to them like intimidation or resistance; nothing whatever was thrown at them. There was a

great shout on their approach; a shout (as he thought) of welcome, like that on Mr. Hunt's approach. He recollected the music playing up some tunes, particularly "See, the conquering Hero comes." He heard Mr. Hunt say no such words as "they (the military) are few, very few; and we are a host against them." The people were round the hustings just as they would be any where else in a crowd. They (the crowd) exhibited no appearance of disciplined troops; he observed a great many women mixed with the crowd, and apparently dressed in their best clothes. The greatest part of them were near the hustings. He saw no defiance whatever hurled against the cavalry. If any sticks had been brandished or stones thrown, he must have seen them—no such thing took place. He saw nothing till the cavalry arrived, which occasioned in his mind the least apprehension for the safety of the town. Until then he saw nothing at all calculated to excite fear in any rational mind.

Cross-examined.—The house in which he was, was about the same distance from the hustings as Mr. Buxton's was. What occurred near the latter, unless spoken very loud, he could not hear. The line of the constables extended to nearly ten yards of the hustings. There was still a very thick crowd between there and the hustings. It was after two persons said something from the hustings, before Mr. Hunt came, that the front row before the hustings, but not to the back, locked arms. They opened to admit Mr. Hunt. He could see the crowd.

WILLIAM BURNS, *sworn.*

Had something to do in making the ornament for the Bury flag; he made a piece of tin in the form of a *fleur de lis*, and was to paint it *yel'ow*, but not having much time on his hands he painted it *red*. It came to him on the Saturday evening late, and not liking to paint it on Sunday, and having no yellow paint by him at the moment, he used the *red*. This was the only reason.

JOHN SMITH *examined.*

Was a cotton merchant at Manchester. Remembered the 16th of August, and was on that day in a house that overlooked St. Peter's-field. The house was in Mount-street, and in the same row as Mr. Buxton's. He then described the assembling of the meeting, their orderly and peaceable demeanour. He also saw the military arrive, and said there was not the slightest resistance opposed to them. He saw nothing in the conduct of the meeting to excite in the mind any apprehension for the safety of the town. He saw the

yeomanry form in front of Mr. Buxton's house, for he was in the next house but one to it. He heard no hissing or groaning until the dispersion took place. There was some cheering before the cavalry advanced to the hustings.

Cross-examined.—Was a partner in the cotton firm. He remembered the placards convening the meeting. He did not approve of Annual Parliaments and Universal Suffrage.

Thomas William Sanderson said, he was a merchant in the firm of Sanderson and Co. at Manchester. Their house of business was at Manchester, but his private residence was twelve miles distant from the town. He generally came into Manchester once or twice a week in his own carriage. He was there on he 16th August, and saw the meeting assembled. He transacted his ordinary business during the whole of the day.—He went to St. Peter's-field about twelve o'clock—he went there out of curiosity, and most certainly not as a Radical Reformer. He went to get an affidavit which it was necessary should be sworn before a magistrate. For that purpose he went to Mr. Buxton's house. He saw nobody that day in apparent alarm, in consequence of that meeting, until its dispersion took place by the military.

Cross examined.—He merely entered Manchester on that morning, and of course could not stste what the feeling was there on the previous day. While he was getting his affidavit sworn he did not learn of any alarm among the Magistrates; he was with them getting his private business done about five minutes; he was not a stranger among the Magistrates, for he knew Mr. Fletcher. He did not approve of the object of the meeting; he disapproved of the manner in which the meeting was brought together; he had seen large meetings before, but never meetings formed of large bodies marching like that; he knew country people went in bodies to a race-course; he did not like to see people brought together in large bodies from the country. From the then temper of the people, however, he did no see any thing inconsistent with the safety of the town, in the congregating of 100,000 people in Manchester. From the temper of the people he apprehended no outrage. The labouring classes were quiet, though some discontents prevailed. But he judged of their temper from what he saw of them on the particular day: his private house in the country was situated in the midst of a very populous number of labouring people, they were then quiet and contented. There certainly did prevail a discontent at Manchester, among the working people, in consequence of their not being able to earn sufficient for their subsistance. He repeated,

however, that he saw no danger from the bringing together such a multitude in Manchester; he did not think danger likely to accrue from assembling 100,000 of the labouring people at Manchester; he certainly disapproved of the bringing people from the country in this manner, because it lead to idleness, and possibly to danger, but that was a mere supposition of his. He was not a radical reformer; he did not understand the term *radical* (No, nor I, replied Mr. Sergeant Cross. who was examining the witness). He might be a reformer; every man was to a certain extent a reformer; he had not the slightest knowledge of Mr. Hunt; but he was an enemy to violent measures of any kind; he was a man of very large property.

Mr. Hunt—You do not know what a *radical reformer* means?

Witness—No.

Mr. Hunt—If you heard it meant, as was insinuated in the famous speech of a Learned Counsel, a pistol loaded with nine bullets, would you believe it?

Mr. Justice Bayley laughed, and prevented the witness from giving any answer.

It being now half past seven o'clock, the trial was adjourned until nine o'clock to-morrow morning.

Mr. Hunt said, that he had a number of witnesses remaining to give similar evidence to that which he had already laid before the Court. He felt very indisposed to occupy the Court unnecessarily, but the moment he had got a hint that sufficient had been shewn, he would stop.

Mr. Justice BAYLEY—You must be entirely governed in your case by your own discretion. It would be unbecoming in me to drop one word which would have the effect of inducing you to withhold a single witness whose testimony you may think material.

Mr. HUNT said he had already sent home 83 witnesses, from a conviction that those already examined had said quite enough, touching the same points to which he meant to call them.

One of the Jury having intimated some desire to know the probable duration of the remainder of the trial—

Mr. PEARSON, who has been indefatigably occupied as Solicitor for the defendants, said, that they meant only to call four more witnesses as to facts, and two to impeach the character of some of the witnesses for the prosecution. He thought unless the cross-examinations were very protracted, the testimony of these witnesses would not occupy more than three hours.

Mr. Justice BAYLEY—Then, I apprehend, Gentlemen, we shall have a speech from the Learned Counsel in reply, and it will remain afterwards for me to direct your attention to some leading points, which may guide you in your coming to due consideration of the whole circumstances of the case.

Adjourned.

NINTH DAY.

On Mr. Justice BAYLEY entering the Court, the Deputy Sheriff requested any Gentleman of the Jury present would hand to his Lordship the letter by which they were summoned.

Several Jurors immediately handed over the letters they received on being summoned—they were all alike.

The JUDGE read the letter, which merely intimated to the Special Jurors that they were summoned, but did not use a single syllable beyond this mere intimation. His Lordship on reading this letter, remarked, that he saw nothing of irregularity whatever in it. Such an intimation was by no means unusual when there was hardly time enough to have the Special Jury reduced, and the regular *distringas* issued. There was nothing in any manner irregular in this letter.

EDMUND DARLEY *sworn.—Examined by Mr. Hunt.*

I reside in Manchester. I am a builder. I have known John Willie, a butcher, from two to three years. From what has come to my knowledge, I most certainly would not believe him on his oath.

Cross-examined by Mr. Scarlett.

I have lived in Manchester 20 years. I never saw Willey examined in a court of justice. I was at the meeting on the 16th of August. I never was at a public meeting before or since; I went out of curiosity.

By the Judge—My reason for not believing him, is, that he has within the last few months frequently deceived me.

WILLIAM PHILLIPS *sworn—Examined by Mr. Hunt.*

I live in Salford, Manchester. I am a butcher. I know John Willie; he has been a butcher, but he is now out of business. I have known him several years. From what I know of his character, I would not believe him on his oath.

Cross-examined by Mr. Serjeant Hullock.

I have lived in Salford nearly all my life. I left Manchester on Wednesday night. I did not before that see any account of the progress of the trial. I did not see an account of the witnesses examined. I did not know that Willie was examined until I came to York. I was not at the meeting on the 16th of August. I was not one of those who cheered Mr. Hunt on his going home last night, I came to speak of Willie's character. I have got my subpœna here. I never saw Willie examined in a court of justice in my life. He was in jail in Lancaster, and took the benefit of the Insolvent Act. I was asked if I knew Willie, and I said yes, and then I got a subpœna.

The Rev. JOHN GOUGH ROBARTS *sworn, Examined by Mr. Hunt.*

I reside at Manchester. I am a dissenting minister. I reside in Mosely-street, I was at home the greater part of the day on the 16th of August. I saw several parties pass my house. I went over the ground before you arrived, and I afterwards saw you in the market-place, with a party attending you. I afterwards went to my own house. I was not at the meeting, but I went to the ground after it was dispersed. I could see a part of the meeting from my dressing-room window. When in the town I saw nothing which excited fear in my mind.—(This witness was not cross examined.)

MICHAEL HEAVISIDE, *sworn—Examined by Mr. Hunt.*

I am a general dealer in Manchester. I buy goods and finish them. I have a warehouse in Palace-street, but I reside in Boundary-street. I have a wife and four children. My warehouse was open as usual on the 16th August. The business of the town appeared, upon the whole, to go on as usual; there was occasionally a shop shut up. In my way home I went to the meeting. I was there when you arrived. The meeting appeared to be a peaceable one; I saw nothing to the contrary. I remained until the yeomanry arrived. Up to the period of the arrival of the troops I saw nothing which excited in my mind any fears for the safety of my person, my family, or my property.

Cross-examined by Mr. Littledale.

I saw nothing of the processions as they entered the town.

The Rev. Mr. HINDMARSH *Sworn—Examined by Mr. Hunt.*

I am a dissenting minister, and reside at Salford. I was in

Manchester on the 16th of August last. I saw several parties pass on to the meeting on that day. They appeared to me to be perfectly peaceable and quiet. I was upon St. Peter's-field near an hour and a half; I made it a point to observe what was the character and complexion of the meeting, and therefore I traversed every part of it. I went there merely as a spectator. I considered, in the first place, that I was perfectly secure under the protection of the laws, while the people remained in a state of tranquillity; I therefore thought I might remain upon the ground with safety. I saw nothing upon the ground which altered this impression. I every where heard congratulations on the peaceable complexion and character of the meeting, and every one hoped it would terminate quietly. In the course of my perambulation, I went near the house in which the Magistrates were. I saw a double line of constables leading to the hustings. The crowd were close to the constables. I saw no disposition in the people to insult them. The line of constables reached a considerable way into the crowd. I remained upon the field until the cavalry arrived. I saw nothing before their arrival which excited any fears for the safety of person or property, or the safety of the town. I had not the least idea of any such thing. I saw nothing, which in my judgment, could excite the fears of any rational, temperate, sober-minded man. I am not a Radical Reformer. I never associated myself with any party in the state. I do not consider myself a political character. In consequence of what I had heard about the Reformers, I went to the meeting. I wished to satisfy myself of the state of society. I thought the people appeared peaceful and cheerful in a remarkable degree. I should not, from what I saw, expect the crowd to follow bad advice. I think they were not disposed to acts of violence. I have lived nine years in Manchester and the neighbourhood. I saw the cavalry arrive. I was then removing from the field. I was perhaps 50 yards from Mr. Buxton's house. I saw a general bustle, and on looking round I saw the cavalry come up at a smart pace towards Mr. Buxton's. I saw them go the hustings. From the first to the last I saw nothing done either to intimidate, or insult, or oppose the military. If any hissing, hooting, groaning, or brandishing of cudgels took place on their arrival, I think I must have seen it; but there was no such thing within my hearing and sight. I kept my eye on the cavalry until I found it necessary to provide for my own safety. I saw no stones, brick-bats, or sticks hurled in the air, or at the cavalry.

Cross-examined by Mr. Scarlett.

I was standing near the Quakers' Meeting-House; there was a great crowd between me and the hustings. I went to inspect the meeting, and partly to see Mr. Hunt, whom I had not seen before. I have kept aloof from all parties for 40 years. I had nothing to do with the banners; they were, I think characteristic of the meeting. I consider "Equal Representation or Death," to be nearly the same as "Liberty or Death;" I mean, that equal representation is essential to liberty. I think there was no intention of a breach of the peace on that day. I did not suppose that any of the banners were intended to be acted upon on that day; as to any future results I am incapable of judging.

Mr. Scarlett.—I ask you if you thought it safe to have the doctrine of equal representation or death preached to the people?

Witness—I do not think the safety of the town was endangered by it upon that occasion.

Mr. Scarlett- Did you see a flag with the inscription, "Let us die like men, and not be sold like slaves?"

Witness—No.

Mr. Scarlett—We will assume it to have been there, and now I ask you if it ought to have been held up to the people?

Witness—I consider it to be a general sentiment, that on many occasions in public life, after Members of Parliament are elected, the voters are sold like slaves I think the preaching of such an opinion in public is safe. I do not know that I am qualified to say whether the people were sold like slaves. It is the duty of every man to preach what he believes true. I think that that doctrine, if used on the 16th, would not be productive of danger.

Mr. Scarlett.—So that if a man thought representation itself was a tyranny, and that every man ought to have a personal vote in the making of laws, he has a right to preach it?

Witness—I did not say that. When I spoke of preaching what a man believed to be true I spoke as a preacher, and not as a politician. I do not conceive it expedient that a man should publicly inculcate every thing he believes, but when people assemble to state and consider their grievances, they have a right to go the length of saying, as their opinion that they are sold like slaves. I think the people have the same liberty of speech as is exercised by the House of Commons in doing business. They have a right to express their

opinions, provided it is done consistently with the law and the peace of society. Sometimes an individual is not so good a judge of political matters as his neighbour. I think toleration in religion and politics should be equal. I think every man has a right to indulge his own thoughts consistently with the peace of society.

Mr. Scarlett—But who is to judge of the peace of society?

Witness—The proper functionaries.

Mr. Scarlett.—Who are the proper functionaries.

Witness.—The Magistrates.

Mr. Scarlett.—Had you any curiosity to see Carlile?

Witness.—No. I do not know him. I did not see his name on a placard, or if I did I have forgotten it.

Re-examined by Mr. Hunt.

If I had seen a placard signed by 700 persons, calling a public meeting to consider of a Reform in Parliament, I should not have called such a meeting either improper or illegal.

Mr. Justice Bayley.—Witness cannot judge of the illegality of the meeting.

Mr. Hunt—Had any one delivered an inflammatory speech exciting the meeting to acts of violence, I should consider it immoral and illegal.

Mr. Hunt—Had you heard that a man had in a certain speech in a particular place, (which speech was afterwards circulated by the public press,) recommended the whole nation to insist on the performance of a particular act, should you think it illegal?

Witness.—Yes, if it was recommended to be done by violence. My understanding of the people being sold like slaves is, when the voters sell their votes, and that the Member returned, disposes of the liberties of the people without consulting their interests. This I take to be selling the people. This I think is matter for the discussion of a public meeting. I did not hear the speakers. I think the meeting was dispersed before they went into the question.

JOHN ROBINSON, *sworn.—Examined by Mr. Hunt.*

I am a merchant residing in Manchester. I was there on the 16th of August. The people were nearly all assembled when I went to the meeting; I went at a quarter before one. I had previously been about my usual avocations. I was not out of my counting house until I went to the meeting. Persons called upon me that morning about business as usual.

I was in a situation on the ground to see the meeting. I

was within 30 yards of Buxton's house when the cavalry arrived; they passed me as they formed. I was within thirty yards of them; I did not see any of the people offer any insult or violence to them. When they arrived I was in a situation to see the conduct of the people nearest to them. When they came up I found some difficulty in getting out of their way. I did not see the people hiss, hoot, groan or brandish their cudgels at the cavalry as they advanced. I think if a man had put his hand above his head I must have seen it. If there had been hissing or groaning I must have heard it, unless it happened while I was falling back, in that case it might have happened without my knowledge. I saw the cavalry advance towards the hustings.

By the Judge.—While they were advancing nothing was done to intimidate, oppose, or insult them.

By Mr. Hunt.—I saw nothing on that day which excited my fears for the safety of myself or my family; if I had I should not have gone to the meeting.

Cross-examined by Mr. Cross.

I went to the meeting through curiosity. I do not think I could see better from Buxton's house than from where I stood.

Mr. Hunt, My Lord, this closes our case.

PROSECUTOR'S REPLY.

Mr. Scarlett commenced his reply for the prosecution. The time had now arrived when it became him to address the jury on the evidence produced in this tedious but most important case, and neither on his own account nor on theirs would he take up more of their time (on which there had been so large a demand already) than he should feel to be necessary, and commanded by the most imperious duty. He need scarcely remind them that a counsel, in conducting a cause like the present, carries about with him no personal views—that he acts not from personal motives; that he is a minister of justice; that, in the observations which he finds it necessary to make, he acts on public principle; and that it is neither just nor candid to suspect him of any sinister intentions, or to impute to him any improper motives, while he performs what his conscience dictates and his office demands. He premised this, because, in conducting this reply, he would endeavour with boldness to unmask the hypocrisy of the defence which they had heard, and show that

4-5ths of the mass of evidence which had occupied their attention and exercised their patience for the last four days had no more to do with the issue now to be tried, than with any other public transaction, or any other meeting which the defendant had attended. Before, however, he entered on this, he must make a few observations of a personal nature. He must show the manner, tone, and temper observed by the defendant that they might be able to decide whether, in a court of justice, that system of intimidation, and violence is to be acted upon, which had been attempted, and with but too much success, in the town of Manchester. Fatal, indeed, would be the result, and melancholy the day, if that spirit of disorder and intimidation, which had been manifested out of doors should ever find its way into a Court of Justice, and if this Court should be converted into a hustings where the voice and decision of the Jury should be demanded on grounds of popular fear or popular favour. He hoped he should not see that day; but if he did, entertaining as he did the solemn conviction that the dearest rights and privileges of the people depended upon the calm, orderly, and dignified administration of justice, he would struggle to prevent its approach. He therefore craved their indulgence while he proceeded to lay before them the observations which he had to make in this important cause, without any regard to popular favour or to popular clamour, which, he should despise himself if he did not despise. He called upon them to attend to him while he made a few remarks on what was not immediately connected with the case, but was forced upon him by the conduct of one of the defendants (Mr. Hunt.) That defendant, on opening his speech for his defence, had chosen to say, that, after the close of the evidence for the prosecution, and the hearing of Counsel for the other defendants, when he (Mr. Hunt) asked that the Court might meet an hour later on the following day, to allow him to prepare himself for addressing the Jury, labouring as he did under infirmity of body and anxiety of mind, the request was unfeelingly opposed by "that man" (pointing to me, said the learned counsel); nothing could be more untrue than the insinuation here made. The jury would recollect, that when the defendant applied to the Court to meet an hour later on the Tuesday, he (Mr. Hunt) did it upon the ground, not that he was indisposed, but that he might have a little more time for going through the great mass of evidence which had been taken in the case: he (Mr. Scarlett) opposed the request, because he did not think it necessary for the defendant's preparation. Sunday had in-

tervened, during which he had time to examine the evidence of the previous week; and only three witnesses had been heard on the Monday, whose evidence it was easy to review. But he (Mr. Scarlett) was accused of being unfeeling, as having opposed the request when made on the ground of ill health, and this was done that it might go forth to the country that he acted on unfeeling and persecuting principles. If the defendant had applied for a little time on account of indisposition, he (Mr. Scarlett) hoped that he was too well known in this place to be suspected of any wish to oppose it. He objected to the favour, because he thought it was asked in order that an audience like that, whose feelings of zeal for the defendant his lordship could scarcely check on a previous day, might be again collected to applaud him. The next personal remark to which he would allude was that which had been made by the defendant on the expression of satisfaction which he (the learned counsel) had uttered in his opening speech, that the cause was to be tried by a Yorkshire jury. He accused him (Mr. Scarlett) of expressing that satisfaction, while he knew that he had a retainer to oppose a change in the place of trial from Lancaster to York. The defendant knew that this was not true at the time he uttered it, but he thought that the statement would prejudice him (Mr. Scarlett) in the opinion of the jury, and therefore he resolved to make it. He would now tell them the truth, and briefly explain to them the real state of the facts. The defendant had applied on the last day of Term to have the *venue* altered from Lancaster to York. When he (Mr. Scarlett) entered the Court on that day, he had no knowledge that such an application was to be made; so far was he from being engaged to oppose it. He (Mr. Scarlett) heard his hon. friends, the Attorney and Solicitor-General, say, that the object of the defendants was only delay, that they could never be brought to agree on coming to York, and that the trial would be postponed; but he (Mr. Scarlett) did not speak a word or utter a syllable upon the subject. His (Mr. Scarlett's) private friends well knew his sentiments, and were well aware that he was pleased with the change of place for the trial, and that what the defendant said was totally untrue. And he must do his learned friends the Attorney and Solicitor-General the justice to mention to the Jury what in his candour and gratitude the defendant had concealed—that so far were they from any desire of taking an undue advantage of him after the Court had decided upon the change, that they had actually lengthened his recognizances, the recognizances of the defendants having been forfeited.

Mr. Hunt here interrupted the learned Counsel, and denied that the recognizances had been forfeited, or that he had received any favour from the law-officers of the Crown.

Mr. Justice BAYLEY said that they had been forfeited—that the record was sent down too late.

Mr. Scarlett continued—He mentioned these things not to defend himself—for he required no defence from such a charge,—coming from such a quarter, and that in a place where he was known, but to show the temper with which the defendant conducted himself. He had gone on to say that he (Mr. Scarlett) wished a brief in the cause against the magistrates; but that he (Mr. Hunt) could not get any Counsel to bring forward their conduct properly in the Court of King's Bench. Now, in answer, he would say, that if Mr. Hunt had wished to bring the cause before the Court of King's Bench, there was not a Counsel who would have objected to undertake it, or would not have lent him all the assistance in their power. But, instead of applying to any gentleman of the bar, who, according to the rules of Court, and the regular administration of justice, must conduct such proceedings, he thought of making the application himself, though he was aware he could not be heard.

Mr. Hunt again interrupted the learned counsel, declaring that he could not allow such mis-statements to pass uncontradicted. At the time he made the application to the Court of King's Bench, he was not aware that he was prevented by any rule of Court from arguing the case for himself. Neither was it true that he had made no application to gentlemen of the Bar; he had applied to the Attorney-General, who had declined, and that the learned counsel (Mr. Scarlett) well knew.

Mr. Scarlett.—I do not know it, nor do I now believe it. The defendant, instead of making an application where it would have been heard, was determined to show his own powers, and came into Court, while he knew he could not be listened to.

Mr. Hunt again declared the observation was untrue, and repeated that he had applied without success to the Attorney-General.

Mr. Scarlett said, that if such an application was made, it was a mere application of impertinence. The defendant well knew that the Attorney-General never came into the Court of King's Bench unless called there to perform an official duty. Now, with regard to the third personal attack which had been made by the defendant, he did not think it necessary to animadvert on it, as the question had been already set at rest

by his lordship. The defendant had unjustifiably brought forward a charge against the under-sheriff in calling the jury; preparing himself, no doubt, for styling them, in case they brought in a verdict of guilty, a "packed jury." The defendant was most unfortunate in the number of his enemies: he was at war with all juries, with all magistrates, with all constables, with all peace-officers, with all authorities, with all the House of Lords, and all the House of Commons. In proceeding with his personal attacks, he (Mr. Hunt) had stated, that he (Mr. Scarlett) had invented part of the charges against him, and that the bloody dagger of which he (Scarlett) had spoken, only existed in his distorted imagination. If the Lord of the Manor of Glastonbury, who was so highly respected in his neighbourhood, and who always enjoyed the intimacy of the clergyman of the parish had imbibed from his society any portion of justice or candour, he might have supposed, in the first instance, that he (Mr. Scarlett) would not have invented this charge, but that it was in the brief put into his hands. The least degree of reflection would have convinced him that such a charge, unsupported either by the instructions in his brief or the testimony of his witnesses, would have been most injurious to his cause. But, to show that the bloody dagger was not the creation of his fancy, he would read the part of the brief from which he obtained the statement regarding it. (The learned counsel then read a sentence to the effect stated.) The statement was not indeed supported by the witnesses, as no dagger was painted on the banner, but the mistake admitted of easy explanation. The standard alluded to had not indeed a dagger painted upon it, but the top of the staff was pointed like a dagger, as had been stated by one of the witnesses, and painted red. He would leave the defendant all the advantage which might arise from this correction, which he did not think very material. The next thing that he (Mr, Scarlett) was charged with doing contrary to truth and justice was to connect him (Mr. Hunt) with Carlile. It seemed that he (Mr. Scarlett) was so incensed against the defendant, that he must prosecute him in all ways; that he must invent charges when he could not find them; and that, forsooth, he must make him not only hostile to the throne, but to the sacred institutions of religion. And then the gentleman, who, among his oratorical figures, had tears at command on the mention of this charge, shed a tear of sorrow and mortification, declaring, that he, on the contrary, so far from being connected with Carlile, held his principles in detestation; that he disliked them so much, that, if Carlile was not suffering already

the infliction of the laws, he would have expressed what he felt at his temerity in attacking the sacred doctrines of religion. Then he stated his belief that his hated name was introduced to the jury to prejudice his cause; that the Reformers were friendly to religion, and God forbid that he should associate with infidels. But let the Jury see what was the real state of the case, and consider the absurdity of this hypocritical cant. What had been proved in the case? Mr. Hunt had put into the box a witness (his most respectable witness), of the name of Tyas, who said that Carlile and the defendant were in the carriage, and proceeded to the hustings together. He (Mr. Scarlett) came now to a part of the defendant's speech which was more to the subject, and to facts of which he could not deny that he (Mr. Hunt) made a proper use, for he was willing to allow him merit where he deserved it. The defendant had asked why the magistrates were not called, and he was entitled to take the benefit of the absence of their testimony until the reason of it was explained. He (Mr. Scarlett) would now state the reasons which would give the jury a clue to the whole case. Whether the magistrates on that day acted discreetly or indiscreetly, on exercising their authority to disperse the meeting; whether the constables told them what was true or false, or behaved with moderation or violence; whether the Yeomanry did right or wrong in approaching the hustings, or in their conduct afterwards, had nothing more to do with the cause than whether Mr. Hunt is lord of the manor of Glastonbury, or is visited at Middleton-cottage by Squire Wigmore and the clergyman of the parish. On the first day, the solicitor for the Crown not being aware of the course of examination, or how the learned Judge would direct the proceedings, had summoned the magistrates as witnesses, and had them in attendance. He (Mr. Scarlett) thought from the beginning that their evidence would not be required, and on opening the case he had studiously abstained from that part of the transactions of the day which related to them. He had accordingly resolved not to examine evidence as to any thing which happened after the military appeared on the field. In this he was confirmed by the learned Judge. The inquiry into the conduct of the magistrates had no more to do with the inquiry now pending into the conduct of the meeting than any two events whatever—the former inquiry might be instituted in another shape, and he did not wish to distract or prejudice the minds of the jury by mixing them together. If the jury were trying the magistrates, they would be trying a more important cause than the present, and

which, being connected with a deeper interest, would, if brought into view on the present trial, only tend to prejudice the public mind. This was his justification for not calling the magistrates. His lordship concurred in his opinion, and the jury would observe that the examination was always broken off or interrupted when it came to involve them. Whatever therefore had been said, or whatever the Jury had heard, regarding the conduct of the magistracy and the yeomanry, ought to be dismissed from their minds, and ought not to influence their decision. The charge on the record was to be tried in the same manner as if no magistrate, no constable, no yeoman, had appeared on the field during the day. If the meeting was in its original formation and concoction an illegal meeting, it was immaterial to this issue whether it went through all its proceedings, and dispersed of its own accord, without any act of violence, or was dispersed by the military, or in its dispersion committed acts of violence. What might have been the result of the meeting was not now the question. The legality of it is a point to be determined entirely distinct from any result which might have happened. The appearance of the yeomanry on the field is merely a circumstance, which, by the mode in which they were received, might determine the character of the meeting. Whether the yeomanry attacked the crowd, or the crowd attacked the yeomanry, or whether there was no attack from either, had nothing to do with the question; the original formation and character of the meeting itself was the only point at issue. Though the motives of the law, in declaring meetings illegal, were grounded on the apprehended result of violence and riot, it was not necessary that that result should be consummated, to constitute its illegality: but the motives of the law were wise; for who could say what could be the consequences of such meetings? What power could restrain their violence, or repress their excesses? Was it safe; was it reasonable; that one man should be allowed to assume the power of commanding 80,000 or 100,000 people? and did the Jury think that Mr. Hunt, whatever were his powers of oratory over a mob, should assemble 50,000 people, or that he should carry them about like a wild beast muzzled, to be let loose or not, as he should think proper? Could he, or could any man, however trancendent his influence over the minds of the people, be sure that he could always command them when they were excited, or calm their tumult, like the sage of the poet, (Virgil), by a look, by a word, or by the waving of his hand? The defendant did not possess that power, nor did any man; and therefore the law had wisely

declared, that such meetings, creating such alarm, and tending to such dangers ought not to be permitted. Having said thus much, he would now come to consider how the last three days had been occupied. They had been occupied in hearing evidence foreign to the question. In a crowd of 80,000 people, a question as to the conduct of persons in one part of the people was not to be decided by what was observed at another. Was a witness to be proved perjured because he stated what occurred in one part of the multitude, and which was not seen at another? Of the 400 of the Spafields rioters who went to attack the Tower, 300 would swear there was no violence intended. Besides, did any one deny many things that the defendant's endeavoured to prove? Did any one deny that the leaders of the party inculcated order? Did any one of the witnesses for the crown deny that Mr. Hunt inculcated order? or did any witness but one attribute to him any design of assaulting the military under the title of "enemies" of the meeting. Yet all the witnesses called for the last 2 or 3 days for the defence only established negatives by assertions that had never been contradicted.

Mr. Scarlett then said, he would read for the jury a part of one of his (Hunt's) speeches, on a former occasion.

Mr- Hunt.---My Lord, I submit this cannot be read as a speech.

Mr. Scarlett said, he would only read it as a part of his (Mr. Scarlett's) own speech, and the jury would see from it what sort of defence a man who was charged for the unlawful assembling of a mob was predetermined to make. He would suppose Mr. Hunt to say, "This is the mode in which I shall defend myself." "Let them," said Mr. Hunt at the meeting in Smithfield, "bring their spies and informers to give evidence against me. I have 50,000 of you before me, whom I can call in my defence; and if I only bring 30 a-day it will take three years and a half to try me, which no Judge or Jury can stand." So it was here: witnesses were brought for several successive days to prove what was not material to the case. His Lordship had tried several riots.

Mr. Justice Bayley.—No, I have not, Mr. Scarlett.

Mr. Scarlett had thought so from the long experience of the learned Judge; but he (Mr. Scarlett) had witnessed many such trials, and he had never seen a large body of the rioters themselves called to prove that there was no riot. But if, instead of 40 witnesses, the defendant had called 4000, what would their evidence amount to? They might have said that they had gone to the meeting, some with their

wives, and some with their daughters; but he would show by-and-by that this was no ground of defence, and he would also show that the whole of the defence was one of craft. It had been stated to the Jury, that the meeting of the 16th had been called by several hundred resident householders of Manchester. Was that proved? Did any of the friends of the Doctor (Healy) give any proof of this? Why not call some of those householders? Did Mr. Hunt think that the Jury were to be caught by such chaff as this? Why not call them? Did the Jury think that this would not have been done by Mr. Hunt, or his legal adviser would not have called some of those people, if it was thought they could stand the fire of cross-examination? But no; there was not one single tittle of proof that the meeting had been so called. This, he maintained, was the best negative evidence that could be produced that no such thing had been done. There was one subject to which the defendant had not alluded, and which, if the trial had lasted for 24 days, would have been buried in oblivion, and the jury would not have heard about it, except from the notes of the learned Judge. It was, that many days before the intended meeting of the 9th Aug. there had been military training going on in the neighbourhood. Was not that calculated to create alarm in the minds of the magistrates at Manchester? Could any thing be more natural than that such a circumstance was calculated to create alarm? (Mr. Hunt here made some remark which we did not hear, and Mr. Scarlett observed, that the Jury saw the effrontery as well as craft with which the defendant conducted his defence; but he would expose both before he sat down, in spite of those interruptions.) But, as he was observing, not a single man had been called to account for this drilling, and show its object was innocent, if such was the case. No one was put into the box to contradict the evidence of Chadwick, of which he would speak more presently. What then was the inference which the Jury were to draw? Was it that 80,000 men were assembled in the manner described, and that no one was called to say why they had been so disciplined, to state that the object was innocent, if so it was? They had not dared to offer a word of evidence on this point. So much for this part of the case for the present. Bamford —and when he mentioned the name of this defendant, he could not but express his regret at the situation in which he saw him now placed - he (Mr. Scarlett) admired his talents, and the respectful manner in which he had conducted himself in the course of his defence; and probably others as

well as himself were sorry that he was not found in better company. But Bamford had told the jury, and Healy said the same, and it was frequently repeated by Mr. Hunt, that they had assembled to look for their political rights; though they admitted that some honest men differed from them on this point. It was assured by them that annual parliaments, and universal suffrage were the rights of the people of this country. This was not the tribunal before which the question of parliamentary reform could be discussed. Whatever might be the opinions of the Jury or his own on this question, was not material to the case; but this he would say, that if a mad held such opinions ever so honestly, they were not such as ought to be dictated to parliament, and those who did so were not only wrong, but the very worst enemies to reform, annual parliaments, and universal suffrage, and the political rights of the people? Surely, the political rights of the people were only such as were established by the laws and the constitution of the country: but it was said that these were the natural rights. Why a man, upon this principle, had as much natural right to be a king, or to be a peer, as to be a member of the House of Commons. He should be glad to learn in what page of the Book of Nature this right was to be found; whether any of the defendants could point it out? This doctrine was not only advocated as the rights of the people, but as material to the safety of the kingdom. The gentlemen of the jury knew, for it was a matter of historic record, that the origin of the House of Commons was an emanation from the power of the King; and in progress of time it grew to what it now was—a balance of power between the King and the people—a balance formed upon the wisest plan which human ingenuity could devise; and so it would continue, unless it was attacked by the rude hand of revolution. But at no one period of our history were such things known as annual parliaments and universal suffrage. In the early history of parliament, it was a fact, that one member was named by the king, the other by the Sheriff; and, in the towns, members were elected by the King's bailiff, or by some others under his authority. It had gradually improved to its present mode of election; but this it was sought to destroy by one of those measures which were destructive in themselves, and, if good, were too sudden to last. If any man preached at a public meeting the doctrine that annual parliaments and universal suffrage ought to be the law of the country, he might as well say that there should be no representation at all; but that every measure which was to operate as a law should be put separately to parishes, and let them de-

cide; and had any man a right to say that the doctrine of universal suffrage should prevail, that every man should give his opinion upon every law, or that death should be the alternative if such doctrine were not allowed? Suppose that Mr. Hunt could prevail upon Bamford or any other of the defendants that the opinions of the "immortal Paine" were correct, he might with the same justice say, no king or death, or no republic or death. He might, it is true, hold his opinions of those different modes of government; but he had no right to say at a public meeting that we should have such government or none at all. As well might Carlile say that reason should be the law, and that we should have no religion. If such were his opinion, he might say that human beings perished like the beasts of the field; that man ceased to exist at all when he ceased to exist in this world; that the universe had no soul; that the heavenly bodies had no arrangement; that salvation was a fable, and the Bible a fabrication, invented by the rich to keep down the poor, and that therefore it should no longer be believed. Such might be his (Carlile's) opinions; but had he a right to preach those opinions at a public meeting? Having mentioned the name of Carlile, he would ask, who was it that had invited him to this meeting—this man who had been notorious as the salesman of the *Deist* and the *Republican?* Was it his fame and the knowledge of his principles which produced him a seat in the Coach with the Lord of the Manor of Glastonbury, and the cultivator of 5,000 acres? Had Mr. Hunt told them what brought Carlile to the meeting? Was there any man who would lay his hand to his heart and say, that it was not the approval of his principles which had brought him thither? Good God! to what a state of society must we have come, when we found that the man who could neither read his own language nor any other, the man who had embraced and published such principles, was taken by the hand and introduced to the people of Manchester---probably, for aught they knew, as the colleague of Mr. Hunt, if the meeting of the 9th of August had taken place? He asked, what other conclusion could be drawn from the presence of Carlile at the meeting of the 16th; and if the people were deluded into the principles of that man---if the 30 witnesses a-day, of whom mention had been made, had imbibed such principles, what would become of the sanctity of an oath, and what credit could be due to such witnesses? What, then, would become of the demagogue who should persuade them to take their religion from this man, and their politics from Mr. Hunt? He would now come to look at the case which had

been laid before them, and view that case as they (the Jury) had heard it: he considered himself as fully entitled to their verdict as he ever was by any evidence which he ever produced in any case. They (the counsel for the prosecution) charged the defendants with a conspiracy to excite discontent; they charged them with assembling in a formidable and menacing manner, and with an unlawful meeting. This was the substance of the indictment. Let them now look at the proofs which have been offered; and would any one say that they had not been sufficient to support that indictment? At a meeting which was held in Smithfield, before the close of parliament, the last summer—a meeting at which Mr. Hunt presided—certain resolutions were agreed to. Those resolutions were handed to Mr. Fitzpatrick, the last witness whom he had called. He (Mr. Scarlett) had not read those resolutions before, because he did not know whether they could be proved—he had only alluded to the substance of them. The Jury had heard Mr. Hunt say, that if no heads were broken, no houses demolished at any of those meetings, therefore they were lawful. This he denied---that circumstance could not constitute legality; and he would show that, whether their result were peaceable or otherwise, the object was a delusion of the people---not a reform in Parliament, but a destruction of the government of the country. He would read some of these resolutions to the jury. The first was a declaration that every man born in the British dominions was a freeman. This he (Mr. Scarlett) admitted; every man in this country was undoubtedly a freeman: there was no country in which more freedom was enjoyed; there was no country in which such a spectacle as that they now witnessed could be produced, where a cause, carried on, he would admit, with all the support of government, was left to the decision of such a judge and such a jury. Looking to the government of other countries, and of other times, they would find no such scene as the present. It was well known that the Roman consuls could put to death any man who should disturb the laws, and in cases of emergency a dictator was appointed, with the power of life and death over all the people: but what country was it, ancient or modern, where, as was the case with this nation, the administration of the laws and the very government itself were placed in the hands of the people? The next resolution declared that it was expedient that a code of laws should be provided. But why provide a code of laws—had we not a code of already? a code of laws which we were bound to obey, and which could not be altered in a body

except by violence? But it seemed a provisional administration was to be appointed. Why a provisional administration? He supposed, until Mr. Hunt should frame this code of laws. The next resolution was, that every man in the kingdom had a right to a voice in the making of those laws: of course that a lunatic had a right --a lunatic who Mr. Hunt had twitted the other day on his misfortunes, and who, though, according to Mr. Hunt, he was not competent to give evidence against him, ought to have an equal voice in the making of a law. That the man who lived by the labour of his hands, and who could not be supposed from his station in life to have the necessary knowledge, was to have an equal voice with the highest authority in the land in the making of laws---such were the doctrines inculcated at Smithfield. The resolutions went on. The next was, that in order to raise a fund for supporting such a system of government, every man should pay his proportion of taxes. He did not know whether this resolution met with the applause that Mr. Fitzpatrick stated had been given to others, at least it was not so marked. He (Mr. Scarlett), however, denied that the consent of every man was necessary for the imposition of a tax. The next resolution stated the House of Commons was not formed as it ought; that might be true, its construction might not be the best, but their own government had within itself the means of removing those grievances which might arise, and no person should presume to inculcate on the people their removal by force. To the next resolutions, he begged to call the particular attention of the Jury; they were, in substance, that after the 1st of January, 1820, no man was bound in equity to obey any act of that body calling itself the House of Commons, unless it was chosen by a large proportion of the people; that books should be opened in every parish for the purpose of enrolling the names of all those men who were of sound mind and proper age, and who should have a voice in choosing representatives. An address was then agreed to, founded upon these resolutions, calling upon his Royal Highness the Prince Regent, to order the issue of writs for the election of members, under those circumstances, and that the parliament so chosen should assemble in the January next; so that here the authority of the House of Commons was to be at an end. These daring and traitorous resolutions, and the address founded on them, were published. Daring indeed, they were, for he could state, as long as he had been acquainted with the law, he had never known so much daring suffered to pass unpunished. Mr. Fitzpatrick

had told them how the resolutions were passed; they were not put separately. Mr. Hunt pulled them printed from his pocket, and they were carried *en masse*, deliberation being wholly out of the question. After this, they were printed in all the newspapers, and circulated throughout the country; so that it appeared as if the whole people of London had embraced and published such sentiments. This was soon known at Manchester, and it was also known that at Birmingham the people had proceeded to elect a Legislatorial Attorney. Accordingly it was found that the people at Manchester were to be induced to follow the example, and for that purpose a notice of a meeting was publicly announced, at which the unrepresented inhabitants were also to choose a representative of their own, and to adopt Major Cartwright's plan of reform. Henry Hunt was announced as the chairman. The Boroughreeve or constables were not mentioned; they would not do; but Mr. Hunt was to preside: Sir Charles Wolsley, Pearson the lawyer, Godfrey Higgins, Esq., Wooler, and others, were to be present. And here again he should observe, that not one of those whose names were said to be affixed to this notice had been called to prove that they had signed it; and this began the head of this charge against Mr. Hunt. What did he dare to do? The Boroughreeve and constables were advised to attend. To preside? No; to attend and listen to what was to be brought forward. They, as became them, advised the people to abstain at their peril from such a meeting—a phrase which the jury had heard so much commented upon as not correct, but which he maintained was justifiable, according to the idiom of our language, and might be found in several writers, though perhaps it was not as precisely correct as the strict rule of that language admitted. What then had happened after this notice of the Boroughreeve and constables? Mr. Hunt came down from London.

Mr. Hunt here interfered, and said, he had not come from London on that occasion.

Mr. SCARLETT continued.—Well, he had dropped from the clouds, or come from Coventry.

Mr. Hunt.—My Lord, is this in evidence?

Mr. Justice BAYLEY.—How can it be in evidence? it was only used as a figure of speech.

Mr. SCARLETT proceeded.—The Jury would observe the impertinence of the defendant. It was of a piece with the rest of his conduct. If he would not have it that he came from Coventry, he (Mr. Scarlett) would say he had dropped from the clouds, or arose out of the earth, at all

events, he was found at Bullock's Smithy before the 9th of August; there he met with Mr. Moorhouse, and proceeded with him to Stockport; from thence he proceeded to Manchester; and what was his conduct there? Was it to excite respect for the magistrates?—No; on the contrary, it was proved by three witnesses, that his language had a different tendency; that not only was his language disrespectful, but even was calculated to excite resistance to the magistrates, if necessary. His own servant, who had been called to give him a character, did not disprove this fact. What did he (Hunt) say? He was sorry that, in obedience to the magistrates, the meeting had been put off; and alluding to the notice to that effect, he observed, that as it took nine tailors to make a man, so it took nine magistrates to frame this notice. After this he invited the people to attend at the meeting on Monday. The learned counsel then went on to state, that nothing more appeared of Mr. Hunt till the 16th of August, except his ridiculous bravado before the magistrates on the Saturday preceding that day; and that he was only known in the intreim as being at Johnson's, and by his intentions with respect to the meeting. What those intentions were he should show from the letter which Mr. Hunt had read as part of his speech, but which he had not dared to offer in evidence. That letter, which he had addressed to the people at Manchester, he would now read from the short-hand writer's notes. But he should first observe, that at the time it was written, drilling was going on in the neighbourhood of Manchester, and that a disposition was evinced in the people to come armed to the meeting. This he was aware of, but he wished to prevent the too sudden explosion until his troops were regularly prepared. The letter said, "Come, then, my friends—come to the meeting armed with no other arms." Who told him that they intended to come with any arms? Who had told him that they had intended to come at all? Could any body doubt, who read this letter, that it had been intended by previous consultation to come with arms, but that he then wished them to come without them? He had put it to them in this way to "Come armed with no other arms than a self-approving conscience." And how could he have known that they intended to come otherwise, except by previous consultation? Indeed this was proved; for it appeared that by one of the parties, it was agreed to go without sticks. This was the result of the order given by one individual, who on this occasion combined sentiments of fear with those of policy, and who did not wish for an explosion, in his presence a

least, till every thing was in readiness; till, perhaps, the other great manufacturing towns in the kingdom were prepared to act in concert with those at Manchester. If the Jury had seen the printed paper, they might, for aught he knew, have found the word "armed" in Italics. What could be his object but to keep his people quiet until the proper occasion offered, and to preach peace and good order to them? The letter then proceeded to invite the Boroughreeve and constables to attend the meeting, to hear his reasons; but he used no reasoning in London, nor at any of the meetings else where he attended. There was no reasoning in any of his speeches except in that which the jury had heard on a part of the present evidence. The letter proceeded—"They say your leaders." What leaders? Who were they? Was it Carlile, or Knight, or Smith, of Liverpool? God forbid that he should say any thing against Mr. Smith: whatever might be his (Mr. Smith's) opinions, he did not mean to condemn his evidence; he had acted properly in not accepting the invitation to attend as a speaker. But who are the leaders who were here pointed out? Was the invitation to the Boroughreeve and constables to come and discuss political questions with Mr. Hunt and the other defendants, and to let Mr. Moorhouse decide? No such thing. The letter said, it was in this way they treated the magistrates. Yes, indeed, it was, and they would have been exposed to insult and derision.—Looking at these circumstances, he stated now, and he would state it any where, whatever his opinion might be as to the result, if the magistrates had not felt alarmed for the safety of the town, and taken precautions accordingly, they should have been dismissed from their functions as traitors to their duty. See what had been done on the night of the 15th of August. Chadwick went to White Moss at 12 o'clock, where he saw large bands of men training by regular leaders. They had no arms, it was true; but the word "fire" was given, at which there was a regular clapping of hands. Why was not somebody called to contradict this, if it could be contradicted, instead of wasting four days in proving what was unnecessary? The evidence of Shawcross, Heywood, and Murray, was not in contradiction to that of Chadwick. They spoke only as to marching; and it was not necessary to give the word "fire" in marching. Chadwick also saw Murray on the ground, and heard him called a spy. The jury had heard Murray himself describe the ill treatment he had received: they obliged him to abjure his allegiance, and administered the form of an oath

to that effect; after which he was let off with two additional blows. They had heard that one man, who acted as a leader, and formed the party into a square for the purpose of reading a letter which had been received from Manchester, was afterwards seen heading a party to the meeting. It next appeared, that the procession to the meeting, in which Mr. Hunt was, had stopped before Murray's door, for the purpose of hooting and hissing, and some of them cried out, "No White Moss humbugs." Mr. Hunt might say he had no control over them; but could he be suffered to blow hot and cold? He who at one time boasted of such control, at another denied he had any. He (Mr. Scarlett) did not mean to say that it was the intention of Mr. Hunt to commit a riot there, but did not the circumstance show the connexion between the White Moss training, and the 16th August? The hissing before Murray's door was proved by the respectable testimony of Mr. Tyas, and of Dr. Smith; but Mr. Tyas went further, and he (Mr. Scarlett) was glad that Mr. Tyas had been produced; for he had understood, since he came to York, that he was a respectable young gentleman, who had distinguished himself considerably at the University of Cambridge. Mr. Tyas's evidence proved the hissing near the police-office. Did that show respect to the magistrates? Hissing and obedience were quite different; Mr. Hunt knew it as well as any man. What could be inferred from this hissing but a disposition hostile to those magistrates? The learned counsel then proceeded to state the training at Tandle-hills, and the circumstance of Bamford's giving directions to his division, on setting out for Manchester to keep order, and of his having distributed laurel leaves to the leaders. Why was it necessary to command them to be orderly, unless they had a disposition to be otherwise? The defendants have also graced their cause by the evidence of Mr. John Scholfield, the dissenting clergyman. He would say nothing more of him than asking whether he could be believed on his oath, he who could not recollect whether he had written for the *Manchester Observer* or not, or what he had written? He (Mr. Scarlett) had called 17 witnesses, respectable men, men of property in Manchester, who all proved that they felt alarmed for the state of the town; indeed, their acts had proved their alarm, for they had taken precautions to guard against the apprehended mischief. Bamford himself seemed to have the same feeling, by the orders which he had given to keep quiet. He meant not to charge them with any disturbance; they were quiet in consequence of commands from headquarters. He did not mean to charge the defendants with

expressions, "we shall have a Moscow," and such like. No doubt, the object of their leaders, on that day, was to keep them peaceable. "Good friends! Sweet friends! let me not stir you up to any sudden flood of mutiny." These might have been his words; but, like another Anthony, he held up to them the garment of the constitution, and pointed to its stabs. His object was not to produce a riot then, but to shew to those whom he designated as enemies that the people had power to trample on them if they pleased, and to destroy Manchester, but that it was not proper to exercise it then without looking to the result. He (Mr. Scarlett) gave credit to the feelings of those who conceived that Manchester was in danger if that meeting continued together. It was of no use to say that the leader did not intend they should act. Lord G. Gordon, at the head of 10,000 persons over whom he had influence, was not able to restrain them, and he was only acquitted of high treason from his peaceable intentions. So would Mr. Hunt now be, if he had been indicted for high treason. Would it be said that Mr. Hunt could have controlled the meeting of the 16th if they had broken out into acts of violence? Why then should not danger have been feared? The Lord Mayor of London was prosecuted for not having dispersed the Gordon mob, even before any riot had been committed. It was unnecessary for him to say more on this point. His only object was to vindicate the character of that high spirited magistrate, Mr. Hulton—than whom a more charitable and amiable man did not exist in the county where he lived. The evidence of Mr. Hulton was quite natural for a man standing where he had. He had not sworn that sticks and stones were thrown at the cavalry, but that it appeared to him they were raised up. It appeared, however, from the evidence of Mr. Hulton and others, that the crowd had closed upon the cavalry, and it was then natural for a person in Mr. Hulton's situation to feel alarmed for their safety. The circumstance of women and children being among the meeting did not disprove the present charge. Women and children had mixed in Lord George Gordon's meeting; but that was proved to be illegal, and so must every meeting be which was calculated to inspire terror and alarm in his Majesty's peaceable subjects. It was laid down by Mr. Sergeant Hawkins, in his Pleas of the Crown, that to constitute an illegal meeting an act of riot or violence was not necessary. Any meeting calculated to intimidate was illegal. They had heard from Bamford, that to train men it was not necessary to have his Majesty's commission. He admitted

this; but then it depended upon the object for which they were trained. Why had not the defendant shown that the object here was lawful? And here he should observe, that one of the greatest causes for alarm was the mystery with which these trainings were conducted. It had been said that the meeting assembled to discuss certain politisal questions. If those people meant to pass resolutions, it was evident that they could not be discussed by them. Which, he should be glad to know, of those industrious weavers and cotton-spinners who attended the meeting, were fit to decide on such questions as these? was it to be supposed that political science, as it had been called, could be considered by an assem- of 50,000 persons? He would, in Mr. Hunt's own language, give a description of the meeting; and he would then ask of the Jury, whether, on his own showing, he did not mean to inspire the peaceable inhabitants with alarm—to fill the magistrates and local authorities with fear—and to hold up to scorn all those public functionaries which the law had appointed to administer the justice of the country? Did not Mr. Hunt state to the people that it was "a tremendous meeting?" Did not two of the witnesses prove that he used this expression? It was indeed a tremendous meeting, and its consequences would be fearfully tremendous if the verdict of the Jury sanctioned it as a legal one. Mr. Hunt returned thanks to the people for the honour which they had conferred on him in calling him to the chair, and observed, "that it was impossible he could make himself heard by every member of the tremendous meeting he there saw before him." He (Mr. Scarlett) verily believed, that at that moment there was in the mind of Mr. Hunt, a mixture of fear and vanity. "It was useless," he proceeded to say, "for him to call to their minds the circumstances which had taken place for the last ten days in the town." It was evident from this that he was privy to those circumstances, and knew them well. He next observed, "that the efforts of those who attempted to put them down by the most malignant exertions, were the means of making them meet that day in twofold numbers." What was this but to say, "you were prevented from meeting on the 9th of August to proceed to the election of a member to represent you in Parliament—I deny the right of the magistrates to prevent you. But now you have met on the 16th, and their malignant exertions have had the effect of making you meet in a twofold number. I don't advise you to resist the constituted authorities; but show your firmness, and I will meet you again in fourfold numbers. At present you are raw and

undisciplined troops, and fly at the sight of a red coat; but stand firm; manœuvre in the very face of the magistrates and of the army, and you must succeed. We must persevere, since the former meeting was adjourned, or postponed." Mr. Hunt was for two hours examining a respectable gentleman from Manchester, to show that he had not, in speaking of the projected meeting of the 9th of August, made use of the word "adjourned," but that he had adopted the word "postponed." The evidence, however, proved that he had used both these words. "The meeting," continued Mr. Hunt, "was put off. Who put it off? The magistrates, who showed by their conduct, that they had sustained a defeat." This sentence was, it seems, followed by loud and long applause. When the cavalry appeared, and drew their swords, Hunt and Johnson told the people to give three cheers. Those cheers were explained by Mr. Tyas, in his evidence, as being intended to show that they were not daunted by the unwelcome presence of the military, although another witness had declared that it was meant for a cheer of approbation. The legality of the meeting, at common law, was to be decided by the circumstances connected with it. Mr. Hunt had defended it, as a meeting no less legal than an assembly of citizens in Palace-yard. But who could ever contend that all the people of England might meet there? The meetings in Palace-yard were of a description that was well-known to the Constitution. The meeting at Manchester, on the other hand, was convened by some secret committee, assisted by Mr. Hunt. It was not a county meeting, nor a town meeting, but a meeting of every person who might be pleased to attend. It was, in fact, calling on all those who had any grievance, real or imaginary, to come forward, while Mr. Hunt preached his political doctrines to them. The broad question for the Jury to decide was, whether this was, or was not a lawful assembly? To that point he hoped they would give their most serious consideration. They were to say whether they thought it was lawful to assemble in such a form and with such banners as had been described. As to the designs of those who thus assembled, they had no evidence; they were left to conjecture. If Mr. Hunt and those who met on the 16th of August, designed to pass any such resolutions as those that were agreed to in London, that design alone made such a meeting illegal, and formed a very grave and serious ground of offence. Mr. Hunt had not called before them any person, to show what resolutions he meant to propose; the Jury had no information of what was the object of the meeting

It was, therefore, only to be judged of by circumstances—by the mode, for instance, in which the people were assembled. He contended then---and he called on the jury to come to the same conclusion---that the intention of Mr. Hunt was, either to call on the people to meet for the election of a member to serve in Parliament, as had been done at Birmingham, and of which purpose notice had been given on the 9th of August, or else to pass such resolutions as were agreed to at Smithfield in the month of July. If they were of opinion that the parties had either object in view, then the meeting was clearly illegal. But, even independent of that, if the mode of assembling, if the vastness of the numbers, if the system of organization which appeared---if these circumstances, taken together, conspired to impress terror on the minds of peaceable men, it was an unlawful meeting. The next matter for their consideration would be the part which each of the defendants took in the transaction. With respect to Mr. Hunt, no doubt whatsoever could be entertained. He appeared to be the grand mover of the whole machine. With respect to Johnson, they found him with Mr. Hunt at the hustings, and there proposing him as chairman. A very remarkable conversation, which took place with Johnson, was also detailed by two of the witnesses. Evidence was, however, given by two persons, who declared that they would not believe the witness, Willie, on his oath. But how did the fact stand? Slater, one of the witnesses, was a publican; and Willie a butcher, a total stranger to Johnson. Johnson happened to go to Slater's while Willie was there, and the conversation turned on the business of the approaching 16th of August. Had any one contradicted the fact? that such a conversation had taken place? No; but two persons, a butcher and a builder, were sent for express from Manchester, who stated that they did not believe Willie on his oath. Willie swore that he had a certain conversation with Johnson, and, having mentioned it to some person, it came to the ears of the magistrates, who sent for him. It appeared that he was watched, and, as he returned from the magistrates, Johnson, sent a servant after him, to call him into his shop. Where was that servant? Why was not he produced? The witness was, however, corroborated by Johnson himself, for he asked Willie, whether he had not said so and so? which showed that there must have been a meeting between them. It was quite plain, from this circumstance, that Willie was watched by Johnson, and it thus appeared that there were some individuals who kept spies and informers in their pay, as well as those who were more commonly

blamed for employing such instruments. Willie's evidence sufficiently proved that Johnson had a previous knowledge of the meeting, and that he had said "They would bring such numbers together as would enable them to set at naught any soldiers that might be brought against them." Moorhouse, it also appeared, was with Mr. Hunt; he had gone to Smedley-cottage, and had also accompanied Mr Hunt to the hustings. At the Stockport meeting he told the people to attend at Manchester on the 16th, and to bring with them as many of their friends as they could. Moorhouse, on the morning of the 16th, set out with his coach from Stockport, and, in the midst of this eight-mile stage, he stopped and watered his horses for half an hour. Was not the object of this delay to wait for the procession, and to arrive regularly with it? Moorhouse went on, and was hailed by Mr. Hunt opposite the Exchange. He got into the barouche, and they approached the hustings in the same carriage. Moorhouse, he therefore argued, was a principal party in this design. It would be for the jury to consider whether he was not the person who chiefly incited the Stockport people to attend the meeting. He next came to Wylde, whom they found directing the people to lock arm-in-arm round the hustings. Dr. Healy, it appeared, was also there. "But," said the Doctor, "where there is no law, there can be no transgression." It would be a very good thing for the Doctor if there were no law. He seemed to think it would be proper to allow men to march to public meetings as they pleased, to hear what they pleased, and to deliver any sentiments they liked. Fortunately, however, there were laws connected with points of that kind. Well, they found the Doctor arranging a body of people, and marching with them to the ground. He appeared to be intimately connected with "the black flag," as he produced a *fac-simile* of it, "in little." He (Mr. Scarlett) in consequence produced the original; and if the defendants had put in a *fac-simile* of their caps of liberty, he would have exhibited some of the real ones. They had heard much of the cap of liberty. It had been, since the French revolution, a revolutionary emblem. The mischiefs that had been hatched, engendered, and perfected, under the ensign of the cap of liberty, had converted it into an emblem of disaffection. It was no longer the cap of liberty; it had degenerated into a badge of licentiousness. With respect to Saxton, as it was stated that he was a reporter, and attended the meeting in that capacity, that would be a fair ground for the Jury to give a verdict in his favour. I beg leave, therefore, to dismiss him

from your attention altogether. The defendant Knight, it was proved, was in the carriage with Mr. Hunt, and proceeded with him to the hustings. He had now merely to call their attention to the particular points which they had to consider. 1st, Whether the assembly was an unlawful one; and, next, what part the respective individuals took in it. He would be perfectly at his ease when he had discharged his duty on this occasion. As to consequences, he feared none, except indeed the verdict of a British Jury, asserting that such a meeting was lawful. He trusted the jury would discharge from their minds any idea of the public impression which their verdict might produce, and only consider how they best might execute the great duty they had to perform. Much had been said in favour of great public meetings: but some of those who spoke most in praise of them, seemed to wish to press the system to boundless licentiousness. If such were to be the practice, if great bodies of people were to be congregated togegether from all quarters, it would be better to give up the power rather than retain it, when it threatened perilous consequences to their persons and properties. The great Roman historian had described a state of things somewhat similar, when he depicted the people of Rome, on the accession of Augustus, becoming the willing instruments of their own slavery—"ac novis ex rebus aucti, tuta et præsentia quam vetera et periculosa mallent." Why had they done so? Because they well recollected the strife and misery to which they had been exposed by the licentious dispute of contending factions at former periods of their history. He hoped the jury would, by their conscientious verdict this day, save their country from so lamentable a trial. When the verdict of a Jury sanctioned and preserved the laws, those who pronounced that verdict did the most essential service to the interests of society in general, by showing that the laws of a country were sufficient to maintain the peace, and adequate to the punishment of those who attempted to infringe them. On the other hand, if, in consequence of certain topics which were unfortunately connected with this question, the Jury should be induced to give a verdict, finding this to have been a lawful assembly, he would hang down his head in sorrow, for he should begin to fear that the law was not sufficient to preserve the public peace. He was however, of opinion, that the law as it now existed, was powerful enough to repress disorder. He hoped the Jury, by their verdict, would show that it was, and that no twelve Englishmen would be found to say, that such a meeting, assembled under

such circumstances, and in such a manner, was, or ought to be, tolerated by law.

JUDGE'S CHARGE.

Mr. Justice BAYLEY, after a short pause, proceeded to address the Jury. They had now, he said, at length arrived at the end of this most important case, and it became necessary for him to offer to them such observations, in summing up, as the circumstances appeared to him to demand. He would, as accurately as he could, lay down to them the law which was applicable to the case; and he would make such remarks on the evidence, as, in the discharge of his duty, he might deem proper, in order to point out for their consideration the grounds on which they were to proceed in forming their judgment. He would be as brief as possible in adverting to the merits of both sides of the question. And, in the first place, he earnestly entreated of them to dismiss entirely from their minds every feeling connected with political or party question, and not to take into consideration what the consequences of their verdict might be, but merely to consider what verdict, according to the evidence, they were bound to give. With respect to the observations he should make to them on this subject, it was their duty to weigh them maturely, but not to adopt them unless they met with their perfect concurrence. He would, in this case, lay entirely out of the question the conduct of the military and the magistrates. The great point for consideration was the conduct of the crowd on this occasion: and as the acts of the magistrates, of the military, and of the constables, might create a prejudice in their minds, he had cautiously abstained from suffering them to be investigated or entertained in the course of the trial. The propriety of the conduct of the individuals to whom he alluded could not then be discussed; and the jury must not suffer their minds, in any respect, to be influenced by the consideration how far their verdict would operate either in favour of or in prejudice to the magistrates, constables, or military employed on the occasion in question. It was with a view to prevent a prejudice of that kind that he had, in the course of the trial (not, he hoped, inconsistently with the situation which he held), desired the defendant not to put a question which, in point of law, he was entitled to do. He saw the way in which that question was propounded and embodied in the case, and he perceived that it could not serve the defendant. He therefore thought it was his duty to prevent the question being persevered in. For this reason, and for this reason only, he desired the defendant not to press the question. He was quite sure that, in this case, as in all others, the Jury would

give to the defendants every fair credit, which, on a proper consideration of the evidence, they might appear entitled to receive. If the case justly admitted of doubt, they would give to the defendants the benefit of that doubt, and pronounce, with respect to them, a verdict of acquittal. He hoped and trusted, and was indeed satisfied, that if the evidence imperiously called on them to come to a different conclusion, they would come, boldly and fearlessly, to that conclusion. His idea was, that the inquiry should be conducted in such a way, as, if possible, to give even the defendants themselves satisfaction as to the mode in which it was carried on: so that, if a verdict of guilty were recorded against them, they might have an opportunity of saying that their trial was an impartial one. After these very few preliminary observations, he should proceed to point out to the jury the nature of the present indictment. It contained a charge of conspiracy; it contained a charge of unlawful assembly; it contained a charge of riot. But, on the subject of the charge of riot, he would not propound to them any observations, because he conceived that the consideration of the other charges alone remained for them. The circumstances of the conspiracy, as they were stated in the indictment, were these:—The indictment set forth, "That the defendants conspired to meet, and to cause and procure other persons to meet, for the purpose of disturbing the public peace, and the common tranquillity of the King and realm." This was one count; and it would be for the jury to say, whether any conspiracy was made out, so as to authorize them to find a verdict of guilty. The count further charged, that the defendants met together for the purpose of raising and exciting discontent and disaffection in the minds of the subjects of our Lord the King, and also to incite them to contempt and hatred of the Government and constitution as by law established. Therefore there were here three heads of charge—1st, that of a seditious meeting, to disturb the public peace; a 2nd purpose was to raise and excite discontent and disaffection in the minds of the subjects of the King; and the 3d purpose was to incite the subjects of the King to contempt and hatred of the Government and constitution of the realm as by law established. The unlawful assembling was stated to be with two different views; and if the existence of either one or the other of those views were made out in evidence, it would be sufficient to warrant a conviction. The first view charged was, that the defendants, by themselves, and also with various other persons, unlawfully, maliciously, and seditiously did assemble, for the purpose of

raising and exciting discontent and disaffection in the minds of the liege subjects of the King; and, 2d, with a view to excite contempt and hatred of the Government and constitution, as by law established. Therefore, the meeting, which in the first instance was charged as a conspiracy to disturb the public peace, was, in the next place, described to be an assembling for the specific purposes which he had stated. Another count set forth, "That the defendants met and assembled, together with divers others, to a very great number, in a threatening and menacing manner, with sticks and other offensive weapons, and with divers seditious ensigns and flags on which there were various inflammatory inscriptions and devices, to the great terror of the peaceable subjects of our Lord the King." One of the purposes, therefore, to effect which they were charged with unlawfully assembling, was to excite discontent and disaffection in the minds of his Majesty's subjects; and 2dly, they were charged with meeting in a menacing manner, and in military array, in order to effect that illegal object. On the subject of unlawful assemblies, he would quote what Mr. Sergeant Hawkins, perhaps the best writer on the question, stated as necessarily constituting an unlawful assembly. He said, "any meeting whatever, of a great number of people, with such circumstances of terror as cannot but endanger the public peace, and raise fears and jealousies among the King's subjects, seems properly to be called an unlawful assembly; where, for instance, those great numbers having some grievanec to complain of, met armed together, for the purpose of discussing the best way of ridding themselves of that grievance; because, under these circumstances, no one can say what may be the event of such a meeting." Mr. Sergeant Hawkins's opinion then, was, "that a great number of people, meeting under such circumstances as cannot but endanger the public peace, and raise fears and jealousies among the King's subjects, was an unlawful assembly." And he adduced, as an exemplification of his opinion, "persons meeting together armed, in a warlike manner." That, however, was not essentially necessary to constitute an unlawful assembly. Taking all the circumstances together, if a meeting "endangered the public peace," and tended to "raise fears and jealousies among his Majesty's subjects," it was an unlawful assembly, although the people did not appear armed. Therefore, one of the questtons the Jury would have to decide was, whether the meeting now under consideration consisted of such numbers of people, and was called together under such circumstances, as could not but endanger the public peace?—

It might be, that, in a very large assembly, there were many persons entirely innocent of any improper object. They might meet for what was a strictly lawful purpose ; and yet there might, in that meeting, be many other persons illegally assembled, who might wish to make the innocent parties the instruments in their hands for effecting their unlawful purposes. Now, he had no difficulty in stating, that, in all cases of unlawful assembly, they were to look to the purpose for which the people met, the manner in which they came, and the means which they were using to effect their proposed object. All these were circumstances which the Jury were bound to take into consideration. He had no hesitation in stating to them, that it was not because a meeting was composed of 60,000 persons, or because it was a body containing women and children, that therefore it was an unlawful assembly. That number of persons might meet under such circumstances as were not calculated to raise terrors, fears, or jealousies, in the minds of the people in the neighbourhood. But, in an assembly so constituted, and met for a perfectly legal purpose, if any individuals introduced themselves illegally, in order to give to that meeting an undue direction, which would produce terror in the minds of his Majesty's subjects, although 59,000 persons out of a meeting of 60,000 were completely innocent, yet there might be 12 or 20 illegally met there, and those 12 or 20 would be liable to be tried on the ground of having illegally assembled. It followed, that although a meeting might be perfectly legal as to the great bulk of the people attending it, yet if any persons, by a plan among themselves, introduced objects new to that meeting, by placards or any other means, which objects were likely to give to the meeting a direction not before contemplated, so as to produce alarm, or to endanger the public peace, and strike terror into his Majesty's subjects, those persons were liable to be indicted for illegally assembling together. The case, as it was stated by Mr. Serjeant Hawkins, seemed to contemplate the event of immediate danger, resulting from the meeting. He, however, was not prepared in his own mind to say, that the appearance of immediate danger was necessary to constitute this offence. If in the results the jury were satisfied that, from such an assemblage, accompanied by the circumstances he would by-and-bye point out to them, terror must have been inflicted on the mind's of his Majesty's subjects, leading to an apprehension of immediate danger, they would give a verdict against those who occasioned that apprehension. On the other hand, if, from

the peaceable demeanour or the people at the time, and the association of women and children on the ground, the meeting was not sufficient to produce a feeling of immediate danger, though it might of future danger, he would recommend it to the jury to find a special verdict. If they found a special verdict, he would call on them to state whether they thought the circumstances attending the meeting were such as were calculated to produce immediate danger. If they thought not, they would then find, "that the persons met under such circumstances as were not likely to inspire the fear and terror of immediate mischief, but which were calculated to create a fear and terror of distant danger." With respect to the subject of conspiracy, it was necessary to observe that the defendants were not liable to be found guilty, although they were seeking the same end, if the jury were not of opinion that they were acting in pursuance of one common design, with the privity of all. It might be, that, in a case of this kind, twelve or twenty persons might go to a meeting, each of them intending to sow sedition: yet, if each person intended to sow that sedition, from the mere motive and impulse of his own mind, and not in common with the other parties, they could not be found guilty of conspiracy. To prove conspiracy, there was no necessity to show the absolute meeting together of the parties accused. If the circumstances were such as to induce the jury to believe that they could not have occurred without the previous concert and combination of the parties accused, it was sufficient. If the circumstances were of such a nature as to imply that there must have been a previous plan that would warrant conviction for conspiracy. If, in this case, the jury should be of opinion that these persons could not have come together in the way described—generally speaking, with a regular step, and approaching a particular place, at the exact time they did; if they believed they could not come in that way, in the common order of circumstances, without a privious meeting between the parties, that was sufficient evidence of a preconcerted plan. But if the Jury were of opinion that they might have met together by accident, without previous arrangement, then the charge of conspiracy must be dismissed from their minds. A party expressing an intention to go to this or any other meeting might induce other persons who heard of it through him, to attend also, without any previous design. They could only implicate, in the offence of conspiracy, those persons who the evidence showed either actually were, or from circumstances must have been, parties to the formation of the ori-

ginal plan. Those who joined in a plan, though at a late period of the transaction, could not be distinguished from those with whom it originated, because they in fact agreed to all that had previously been done, and thus became conspirators. In considering the matter of conspiracy, they must look to the case of each defendant, and see with which of the other defendants he conspired. It might be, that, as to the conspiracy charged in this case, they would be of opinion that one, and one alone, of the present defendants, together with divers other persons not named, had formed the plan, it would subject the defendant, and him alone, to be found guilty of the charge. The fact of assembling did not stand on the same ground; because, if in such a meeting as that, 12 persons assembled for unlawful purposes, (that was, to give an improper direction to the proceedings of those who were legally and properly met), those twelve might be found guilty of illegally assemblings, though there was no previous conspiracy. In deciding this case, they would take all the attending circumstances into consideration. One of these circumstances was, the appearance of the parties as if they had been drilled. With respect to banners, bearing inscriptions, their illegality did not extend to every man present at the meeting, but only to those particular persons who adopted those banners, and the sentiments inscribed on them; or who, with a full knowledge of their existence, gave perfect confidence and co operation to the meeting. So also in the case of drilling. It could only affect those who knew that drilling was practised for illegal purposes. If he knew that persons were drilled, for the purpose of overawing his Majesty's subjects, and bearing arms, and he attended a meeting of that kind, and gave it his confidence, then he was guilty of attending illegally. But if, on the other hand, he was present at a drill-meeting, not being aware that it was assembled for illegal purposes, the law considered him innocent, because he was not privy to the fact which alone rendered the thing illegal. As to the point, whether a specific assembly was likely to produce terror, future or immediate, the fact might be proved in two ways—by showing, on the one hand, that terror was actually produced—or on the other, by proving the absence of all terror. To show whether terror was or was not produced, he would state the testimony on both sides in this case. They would find in the evidence on the part of the prosecution, a great deal which imported that no apprehension of immediate danger existed; and the circumstance of women and children being present would be

worthy of their consideration in that respect, It was admitted that an attempt was made to keep the peace at the meeting. But this might have been done in order to forward future objects. It might have been hoped, that, by this means, the prepared seed would be sown, while those who pursued this course would wait till the time of harvest to reap the benefit of it. Having made these observations, which he deemed it necessary to do, in ordor to enable them to arrive at a correct conclusion, and at a proper understanding of the evidence, he would now point out to them what the nature of that evidence was.

The learned Judge then proceeded to recapitulate the voluminous evidence adduced in the course of this interesting trial, briefly commenting on it as he went on. He observed that a meeting of 60,000 persons, if they all came to a certain point, with a common knowledge of what was to be done, might create terror. With respect to the banners, he again observed, that those only who showed that they were favourable to any motto inscribed on them, by carrying, or immediately marching under them, could be considered as liable to any penalty which the illegal nature of any of the inscriptions might warrant. It was given, he observed, in evidence, that Moorhouse was a religious man, and constantly read the bible to his family—a fact stated to induce the inference that he would not be guilty of an illegal or immoral act. It was also stated that Mrs. Moorhouse, though in the family way, went through the crowd; and it was not likely, if danger had been apprehended, that her husband would have permitted her to attend. With respect to persons walking in the military step, to which several witnesses had sworn, it could not affect the persons charged, unless they were proved to have been cognizant of the fact With respect to the inscription, "equal representation or death," if it meant that those who adhered to such a standard would lose their lives unless they procured what they deemed "equal representation," it amounted to sedition: but if, as Mr. Hunt explained it, the inscription merely meant, that if they could not procure "equal representation," they would be starved to death, it would not come within the character of sedition. Again, the inscription of "No Corn Laws" left the Jury to consider, whether the meaning of it was, that the corn laws were so oppressive, that every means, legal or illegal, were to taken in order to get rid of them; or whether it was a mere expression of disapprobation. In the former case it would certainly be sedition, in the latter it would not. As to the cap of liberty, it was one of the insigna of the crown; and

when the King went to Parliament, an officer of state always bore it before him. It did not, therefore, of necessity, mean any thing seditious. With respect to the stoppage of business occasioned by the meeting, it was positively sworn by a great mass of evidence for the defendants, that it was not at all interrupted; and, certainly, if any interruption of business had taken place, in a great town like Manchester, it would have been easy to have called evidence to that fact.

When his lordship had come to the testimony of Chadwick, reading the evidence at length, Mr. Scarlett suggested that, if all parties would agree, the reading of the evidence might be very much abridged.

All the parties agreed.

His Lordship then said he would read the evidence, and if he omitted any thing material he begged it might be suggested, and he would read it.

Bamford.—I leave it entirely to your Lordship's judgment. You have had a great deal of trouble.

Mr. Justice Bayley.—I grudge no trouble; you have a right to my services. His Lordship then continued to sum up. He said, the phrase sworn to by one of the witnesses, as having been used by a person going to the meeting, namely, that they would "make a Moscow of Manchester" seemed to be inconsistent with the general intention expressed by the reformers on that day. There was every reason to believe that Mr. Entwistle was mistaken in the expression of Mr. Hunt about their enemies, as applied to the soldiers. With regard to the shout set up when the military appeared, it might be the shout of consciousness of innocence, and a determination to remain on that consciousness, or it might be the shout of intimidation. Its nature was to be determined by the circumstances in which it was uttered. There was no other witness that spoke to threatening expressions but Mr. Francis Phillips. The multitude round the hustings appeared to this witness disciplined troops, ready to protect Mr. Hunt in case of any molestation. If he had a false impression in this case he might in another, and there seemed to be no evidence that the multitude were ready to fight, as the majority of them had no arms, the most of them being even without sticks.

The learned Judge having proceeded through the evidence given on the first three days, and the hour having arrived at which the Court usually adjourned, said to the Jury, that he would desist, and adjourn the Court if he fatigued them. No answer being returned, he continued for another hour, when an intimation was given, that, as the business could not

terminate to-day, it might be convenient to adjourn now (at half-past seven.) This was assented to by the learned judge, and the court was adjourned till Monday, at nine o'clock. Mr. Hunt, before the court broke up, intimated a wish to the Jury that they would in the interval abstain from conversing with others on the subject of this trial, and also from reading the newspapers, which had been filled with libels on him during the last week. His Lordship expressed a confidence that the Jury would attend to the wish now expressed; but if Mr. Hunt was anxious to secure it under the sanction of an oath, he would put the book into their hands, and swear them on both points. Mr. Hunt thought this unnecessary. After what had fallen from his Lordship, he was sure they would attend to their duty. The court then adjourned till Monday at 9 o'clock.

TENTH DAY.

Monday, March 27.

The utmost anxiety was manifested to obtain early admission to the court this morning, as it was generally known the Judge meant to conclude his charge early in the day. At eight o'clock every part of the court was occupied. Precisely at nine o'clock Mr. Justice Bayley entered. All the defendants soon after took their seats. The learned judge throughout the day seemed oppressed with indisposition, and repeatedly took medicine.

His Lordship, in his commencement this morning, said, that he had on Saturday night advanced so far in his charge as the evidence of Shawcross, who merely produced the placards.—The learned judge then proceeded to detail the remaining evidence for the prosecution, with respect to the part taken by Mr. Hunt at the Smithfield meeting, the resolutions of which, on the 21st July, his Lordship read *seriatim*, the jury were, from a consideration of the tone and temper of those Resolutions, to form a judgment of the disposition of the individual who recommended them. He commented with severity upon that one which pointed out, that the people were absolved from any obedience to the laws, except on such conditions as was therein expressed, from and after the 1st January, 1820. How far such Resolutions were consistent or inconsistent with due subordination to the law, he left it to the Jury to consider; as well as how far they were

or were not calculated to bring his Majesty's Government into hatred and contempt. The next evidence was that which related to Bamford, and it only shewed that he recommended peace and order; still he was identified with the placards, if they thought them illegal. If a meeting for considering a reform in Parliament be illegal, he is an offender; but it was his Lordship's duty to tell them that it was not. There was no illegality in carrying sticks, unless they were for an unlawful purpose; nor banners, unless their tenor was such as to excite suspicion of the objects of those who carried them there, or concurred in bringing them there with an evil intention. As to numbers, they alone did not make a meeting illegal, unless attended with such circumstances as did actually excite terror, or were reasonably calculated to excite terror. Such circumstances were forbade by the law. They had truly heard that where there was no law, there was no transgression. If the meeting was innocently intended, then the law was not violation. You then come, observed his Lordship, to Dr. Healy's admonitory remark to me, to take care and not in any thing I say prejudice your minds against him. If I do, Gentlemen, discard any expression of mine having such a tendency altogether from your minds. I mean to do my duty with integrity to the best of my poor judgment. If I err, and err with intention, then, Gentlemen, there is that power to which I am awfully responsible, Between the Crown on the one hand, and my country on the other, I shall do, I hope, equal justice. The defendants, I trust, shall suffer no undue prejudice at my hands—my conscience will uphold me in what I have to say to you; and he who will sit in judgment upon all our poor acts, will have to say what motive dictated them. I have now closed my observations upon the evidence for the prosecution, and before I sum up that for the defence, I wish to state that I have made a summary of it, which will bring its leading points with less fatigue to your minds. If, however, I omit any thing material for any of the defendants, or as I go on, shall miss one, touching upon any fact in their favour, then it will be only necessary to remind me of the omission, and I shall read in detail the part to which my attention shall be called.

Mr. Hunt—Probably you will allow us, my Lord, to avail ourselves of your kind permission, as you go on, without deeming our interruption obtrusive.

Mr. Justice BAYLEY—Yes, Mr. Hunt, I not only allow you, but desire you promptly as I go on, to call my attention as you may please.

The Learned Judge then resumed his charge, and said, that, with respect to Bamford, all that had been proved in his speech was a recommendation to peace and order. There were no sticks in his groupe, save a few common walking sticks carried by old men; there were women and boys in the throng; and it was for the Jury to consider whether Bamford and these people, carrying their wives and daughters with them to such a crowd, meant to create on that day riot, tumult, and disorder? With such an intention, nothing was less likely than that they would carry to the scene those who were the dearest objects of their affection. According to the evidence for Bamford, the people in his party, so far from being tumultuous, were peaceable and joyful; and the drilling, as it was called, so far from being illegal and nocturnal, was open and innocent; the only object being merely to enable the people to attend the meeting as conveniently for each other and the public as it was possible. The Learned Judge then enumerated the names of the witnesses who swore the parties on the 16th of August, went to the meeting in the utmost peace, and conducted themselves while there with equal tranquillity. There was no act of violence, according to these witnesses, committed by them; no violation of peace, which would bring them under the reprehension of the law. So far in favour of Bamford. With respect to Saxton, the Crown had abandoned the case. In behalf of Mr. Hunt, three different propositions were established in his favour, by the witnesses produced in his defence. First, that the procession moved to the field in the utmost order—that all the exhortations to the people were in the spirit of peace, and that they imbibed and adopted that spirit in every respect. There was no insult, no offence given, except some few loose expressions, only implicating the individuals using them, and not fairly attributable to the bulk of the people. There were none saw sticks thrown, nor bludgeons, nor brick-bats; no panic in Manchester, all was tranquil and free from apprehension up to the moment the military arrived on the ground. It was admitted that the people shouted when the cavalry came; some said this was in defiance, but for the defendants a different construction was put upon the act, and that it merely signified their confidence in being legally assembled, and their determination to remain in the discharge of what they considered a justifiable duty, without fear of interruption. If the object were legal, and the means of effecting that object legal, then the people had undoubtedly a right to remain while so conducting themselves, and there was no proper reason why they should be

disturbed. Under such circumstances the people had a right to stand firm. It was also deposed, that besides the promiscuous groupe of women and children who came into Manchester, there were many other to all appearance respectable females who walked to and fro among the multitude, without seeming to apprehend any danger from their situation. There was also in evidence, that marks of respect were paid to loyal tunes, that not the slightest indication of disturbance took place, and that no stones, brick-bats, or sticks were flung up in the air during the day, nor hooting, nor hissing at the cavalry. The Learned Judge then enumerated the witnesses, who spoke to the peaceable character of the meeting. As to the drilling, if it were only intended to promote regularity and convenience at the meeting, then it was not illegal. He thought they might put out of their consideration, that the words "these are your enemies," were addressed by Mr. Hunt to the soldiers in Dickinson-street, for that must have been a mistake; such an expression could not have occurred, according to the witnesses for the defence, or they must have heard it. This was the summary of the evidence for Mr. Hunt.—(Mr. Hunt suggested, that when he saw the black flag, he expressed his opinion to those around him, that it was very foolish. The Learned Judge assented, that it was in evidence Mr. Hunt made that remark.)—The Learned Judge then proceeded to notice the cross-examination of the witnesses for the defence. With respect to the animadversion cast upon the use which Mr. Scarlett made of Carlile's name in his opening speech; it was in evidence that Carlile was on the hustings the allusion to him was therefore justifiable, and not, as Mr. Hunt had said, an unwarrantable calumny. It happened as it often did, that the opening speech did contain matter, which, though justifiably introduced, was not subsequently proved in evidence. When the Learned Judge touched upon the evidence given by the Dissenting Ministers, he applauded the observations made by them, that they abstained from any interference in party politics. In their ministry "charity thinketh no ill," and as teachers of the Gospel, it became them to remain aloof from the angry politics of the day. With respect to Moorhouse, it was in evidence from the witnesses called in his defence, that he did not mount the hustings—that he was not in the carriage until after the hissing took place at the Star Inn and the Police-office, and therefore not responsible for those acts of contempt towards the Magistracy, if they were intended as such, and it ought also to be borne in mind, that one witness

had an indistinct recollection that Johnson attempted to stop these expressions of popular displeasure, by a motion of his hand. The evidence of Mr. Tyas was very important to shew the apparently pacific demeanour of Mr. Hunt, for he deposed to his repeated and continued exhortations to peace, when the cavalry came on the ground, and while they were advancing to the hustings; that he used the words, "By all means be quiet; don't resist. If they want me, let me go at once." Then as to the panic, it would seem that in so populous a place as Manchester, if that panic at the congregation of such a meeting was any way general, a multitude of witnesses could be brought to state the fact, and that it would not be left on the part of the prosecution to depend upon the evidence which had been produced. Of this, however, the Jury were alone the competent Judges. Of the general character of Mr. Hunt's life, he must also remind them, they had the testimony of one of his domestics, who proved that his master was always in the habit of visiting the Clergyman and the 'Squire of his neighbourhood; that he has seen his company often, and never remembers any man riotous or intoxicated in his house; but, on the contrary, the utmost regularity and sobriety. He added, that he had often heard his master's doctrines, but never any which had the smallest tendency to encourage the working classes to look for support to any other means than the fruits of their own industry—he had heard him say, that he thought the sober and industrious man, who worked from Monday morning to Saturday night, ought to be able to earn a livelihood for himself and family. A placard had been put in which was represented as being one of those in pursuance of which the meeting of the 16th of August, was convened; it represented the meeting to be called "to consider the most lawful means of procuring a Reform in the Commons House of Parliament." Such a meeting for such a purpose had certainly nothing illegal in its mode of convocation, unless in its accompanying circumstances it assumed a different character, and did either actually excite terror, or became calculated, by its appearance, to inspire such a sensation in the mind of a rational person. The question, then, in the first place, was, was this meeting, or was it not, legally convened? Secondly, was it, or was it not, peaceable? If it were not so, a third question arose as to the persons who became criminal by their conduct. The meeting may be illegal in the first instance, circumstances may make it so in its subsequent conduct; but in either case there may be a number attending it whose intentions were perfectly innocent. It was the province of the Jury to as-

certain and arrange this distinction, if the evidence bore them out in forming it; and by the evidence could they only ascertain and fix that point. A meeting to recommend a Reform in Parliament was clearly legal, unless from its numbers and the subsequent misdirecting of them it assumed a different character. If the manner made the meeting illegal, then those only who countenanced that manner, and who went to promote it, incurred the displeasure of the law. With a view to consider that point, they must scan the evidence minutely, as it affected each of the defendants. It must be clear that the manner, the numbers, the banners, the apparent military step, had an evident tendency to produce terror, and then the individuals who had so produced the terror, or who knowing it, attended to add to its effect by the demonstration of their numbers, must be specifically designated just as the evidence, and nothing but the evidence, shall warrant their designation. If this terror be in this particular case excited, its existence or effect must be made out previous to the dispersion of the mob. It was suggested on the part of the Crown, that it was not intended to produce the mischief at the exact time the meeting assembled; perhaps not on that day, but to have a prospective operation, that the public pulse was only to be felt on that day, and the full panic only prepared for a future. To judge of the legality of the motives which actuated the principal personages on that day, was the arduous task entrusted to the jury, and they were to form their opinion upon the impressions which the evidence produced upon their minds. With respect to the numbers composing the meeting, they were so great as to warrant any body in rationally concluding, that deliberation was not their object—that was actually impossible. One of the counts in the indictment charged the defendants with conspiring to bring together a meeting to raise disaffection and discontent in the minds of his Majesty's subjects, and to incite a hatred and contempt of the laws, and constituted authorities of the realm as by law established. In the first place, for what was this meeting called? They had heard that it was by 700 of the respectable householders of Manchester, and for the purpose set forth in the placard, namely, Parliamentary Reform. What was intended to be proposed at that meeting? Where are the Resolutions? Which of the 700 respectable inhabitants was called to state the precise object of the meeting? They were therefore left so far in the dark as to the purposes of the meeting. It was no evidence before them, that on the 23d July Mr. Hunt attended a meeting at Smithfield, where cer-

tain resolutions proposed and adopted, which they had read in evidence. It was for the Jury to say whether such resolutions were or were not calculated to excite disaffection. Did Mr. Hunt mean to tender resolutions of the same import at Manchester, he must, one would imagine, have conversed upon the resolutions intended to be proposed there; he has brought no evidence to rebut the presumption, if the Jury thought it fairly to arise, that he meant to pursue the same course at Manchester which he had just before pursued in Smithfield. If they thought that were his object, and that then the Smithfield resolutions were to be repeated at Manchester, then, *quo ad*, Mr. Hunt's attendance at the meeting was illegal; but this did not implicate the other defendants, unless they were knowingly and wilfully assisting and co-operating for the same purpose. The learned Judge said he would next call the attention of the Jury to the inscriptions upon the flags, and again remind them, that such as were illegal could only affect those who carried them or who followed them, assenting to their meaning and character; to such only could the flags apply. They would see from a perusal of the inscriptions whether any and which of them bore any similitude to the Resolutions of the Smithfield meeting already adverted to. One of them (the Stockport) bore the inscription, "Annual Parliaments, Universal Suffrage, Voting by Ballot." If these inscriptions were merely to express an opinion in favour of such doctrines, and merely an opinion without meaning to act upon it illegally, then they were not guilty of a criminal intention. The same observation applied to the inscription "No Corn Laws." Many opinions prevailed respecting these laws, and there was no illegality in expressing them, provided the intention was not to intimidate or overawe the Legislature. "No Boroughmongers."—That phrase had certainly a reference to one of the Smithfield Resolutions. "Unite and be free." —If that merely recommended harmony as essential to the enjoyment of freedom, it was harmless, if it meant to insinuate a unity of effort to promote an object inconsistent with the spirit of law when it is criminal. "Equal Representation or Death."—The same observation there again applied. It might be harmless with the meaning attached to it by one of the defendants; but it held out the alternative of risking life for the attainment of a particular object, then it was for them to say, whether it was not a criminal allusion. "Taxation without Representation is unjust,"—If by that it is meant to inculcate the opinion, that is criminal and unjust to levy taxes upon any man who has not a direct share

by a a vote in returning a Representative to Parliament, then it was for the Jury to say, whether such an insinuation had not a tendency to excite in the minds of the King's subjects a hatred and contempt of the constituted authorities of the realm. There never was a time in the history of this country, when every individual had a vote in the election of Members to serve in Parliament. Every member who was elected was certainly considered not the Representative alone of the place from which he was sent, but of the people of the country at large. He was not only bound to take care of the particular interests of his constituents, but also of the general safety and prosperity of the kingdom at large. No copyholders, as such, had a vote; no leaseholder for a term of years, as such, had a vote. In all counties, towns, cities, and boroughs, there were always a vast number of persons who had no votes, and had they a right, without incurring the responsibility of an illegal offence, to say, that because the law conferred upon them no votes, that therefore they were illegally and unconstitutionally taxed? He entreated the Jury, however, not to make applications to any of the mottoes which could in the result affect any of the defendants, without feeling the full conviction that they were warranted in the application by the fair reason of the thing. Another motto was "Labour is the source of wealth;" that was a true inscription, and long may labour continue to be the source of wealth in this country, and long may the inheritance which it is so prosperously found to bequeath, rest on the safe protection and stability of the law. The Learned Judge recapitulated many of the leading points of his charge with respect to Mr. Hunt; they had evidence of his being at Smedley Cottage, on the eve of the intended meeting at Manchester, on the 9th of August, that he had that day expressed himself in terms not very respectful the local Magistracy; he was not indeed found at Oldham, at Lees, or at Bury, he was at Manchester, and had given no evidence respecting the resolutions which it was meant to propose at the meeting that had been broken up.

Mr. HUNT---May I submit, my Lord, that the resolutions intended to be proposed at that meeting were snatched by Nadin out of Knight's hand, when the yeomanry came up to the hustings? We have since made every effort to obtain them, but without effect, and have served an order on the prosecutor to produce them, an order which your Lordship sees has been disregarded.

Mr. Justice BAYLEY then resumed his charge.---He said

that with reference to Johnson, it appeared he had gone from Bullock Smithy to Manchester, with Mr. Hunt; he had appeared with him on the hustings, whether according to a previous concert, and for an illegal object, the Jury, according to their construction of the evidence, must decide. As to the case of Moorhouse, there was evidence of still less participation. He was not on the hustings, if the evidence adduced on his behalf were to be credited. Wherever there appeared doubt of criminality of intention, should they decide upon fixing on any of the parties the guilt of any of the counts in the indictment, the safer course for the Jury to pursue would be to record a verdict of acquittal. Swift was on the hustings, but there was no proof of his being criminally engaged there, and for an illegal purpose, if his witnesses' statements were correct. Against Healey there was the black flag, if they inferred any criminality from that emblem. The inscription it bore was as follows:—"No Boroughmongers; Unite and be Free; Equal Representation or Death; Saddleworth, Lees, and Moseley Union; No Corn Laws; Taxation without Representation is Unjust and Tyrannical." If these devices were, he repeated, calculated, from their nature, to excite in the minds of the people hatred and contempt of the Authorities of the State, then they were certainly illegal, and the parties bearing them and concurring in them, amenable to the law for their conduct. With respect to Bamford, who carried the Middleton flag, nothing could be more decent than his conduct throughout the whole of the day. If the account given by the witnesses he adduced be a correct description of it, he was every where described as recommending peace and order. Then came the flags with the mottoes "Unity and Strength," "Liberty or Death." Now these were, like the others, innocent or culpable, according to the meaning affixed to them by those who brought and concurred in bringing them into the field. If that *unity* and *strength* would overawe the laws, was the meaning attached, then it was an illegal emblem. Another party was led up by Wylde, but what their banners were did not appear in evidence. Jones merely put up the hustings, and whatever else he had done appeared, according to the evidence, as of little importance; he recommended what every body would wish to see adopted, namely, union and harmony. The Learned Judge was then once more about to revert to the Smithfield Resolutions, when

Mr. Hunt begged leave, with great deference, to submit to his Lordship, whether a Chairman who merely received such Resolutions at the moment of the meeting, and possibly

without his concurrence in their formation, ought to be held so strictly responsible for their contents?

Mr. Justice BAYLEY—The law imposes upon a man so acting, the responsibility to which I allude. I have in my charge, Mr. Hunt, done fairly by you, in putting to the Jury those circumstances which may bear in your favour, as well as those which may have a contrary operation. I have done so I hope impartially, I know conscienciously; and I solemnly declare, that if this were to be the last moment of my life, I should charge as I have now charged. The learned Judge then proceeded to refer to the evidence, and to enforce upon the minds of the Jury, that the main question they had to try was, whether the meeting was, or was not, according to its manner, calculated to produce terror, either in the manner in which it was formed, or in the circumstances that ensued before its dispersion. If they thought it was so constituted or conducted, then the parties, with that view attending it, were criminal, and the Jury would specially record the species of criminality they attributed to them. The Learned Judge concluded thus:—"You, I have no doubt, have considered throughout this arduous trial, and with patient attention weighed the evidence on both sides. Between the defendants and the public, I know you will impartially and justly judge, laying aside, as I implore you to do, all considerations of party or prejudice which may prevail elsewhere, and give your verdict, as you upon your solemn oaths are bound to do, upon the evidence alone. I have only one observation more, and I peremptorily require attention to it out of respect to the Court, and out of deference to the laws, when your verdict is given, be it one of Guilty or Not Guilty, I require that no symptom of approbation or disapprobation shall be uttered within these walls; any such demonstration of feeling is a high contempt of this Court, and calculated to subvert the principles on which Juries should always act. If a Judge or Jury should ever act on the popular effect which any particular decision may create, or travel out of the evidence before them to form their opinion, their conduct would not only be highly erroneous, but most criminal. Find no defendant guilty, Gentlemen, whose guilt is not in your minds clearly established by the evidence—find no defendant innocent, if you think the evidence establishes his guilt;—wherever a doubt arises, the defendant ought to have the benefit of it."

At a quarter past twelve o'clock the Learned Judge closed his Charge, and the Jury retired.

Shortly before five o'clock the Jury returned into the box.

The Foreman held a paper in his hand, and said the Jury had agreed upon their verdict, which he read as follows:—

"Moorhouse, Jones, Wylde, Swift, Saxton—Not Guilty.

"Henry Hunt, Joseph Johnson, John Knight, Joseph Healy, and Samuel Bamford, Guilty of assembling with unlawful barners an unlawful assembly, for the purpose of moving and inciting the liege subjects of our Sovereign Lord the King to contempt and hatred of the Government and Constitution of the realm, as by law established, and attending at the same."

Mr. Justice Bayley—Do you mean that they themselves intended to incite?

The Foreman—Yes.

Mr. Littledale—This verdict must be taken on the fourth count.

Mr. Justice Bayley.—Let the verdict be so recorded. You find, Gentlemen, on such counts as the words of your verdict are applicable to. You do not mean to find that they created terror, or incited it in the minds of the liege subjects of the King.

The Foreman.—We meant, my Lord, to find on the first count, omitting a few words.

The Learned Judge then requested they would retire and look over the counts of the indictment again, and say to which count they meant to apply their verdict.

The Jury withdrew for a few minutes, and returned with a verdict of Guilty generally on the fourth count, and Not Guilty upon the remaining counts.

Mr. Justice Bayley—I take it for granted the defendants are still under recognizance.

Mr. Hunt.—We are, my Lord.

Mr. Justice Bayley.—Then let them now additionally, in Court, enter into their own recognizances to keep the peace and good behaviour for Six Months, Mr. Hunt in the sum of 2,000l., Mr Johnson of 1,000l, Bamford and Healy 500l. each.

The parties immediately entered into their several recognizances.

Mr. Hunt.—What is meant by good behaviour, My Lord?—it is a very indefinite term.

Mr. Justice Bayley.—The law defines it, Sir.

Mr. Hunt.—I always, my Lord, wish to shew good behaviour to the law.

Mr. Justice Bayley—Then you have only to continue to shew to it the good behaviour you observed in Court during his trial.

Mr. Hunt—I hope I shall always do so, my Lord; in any thing that fell from me, it was far from my intention to give any offence to the Court.

Mr. Justice Bayley—You gave me no offence, Mr. Hunt.

Mr. Hunt—I never shall, I hope, my Lord. I have to thank your Lordship much for your patience during this long trial.

Mr. Justice Bayley—You owe me no thanks for doing that which was my duty, nor in what I say to you do I do more than state a fact, I do not mean a civil expression.

Mr. Hunt- If I move the Court of Kings Bench for a new trial, I suppose, my Lord, the defendants who are acquitted need not attend, though the indictment charges a conspiracy.

Mr. Justice Bayley—I can't advise; but there was a case in Surrey; I forget the name; I'll recollect it directly.

His Lordship then turned round to the Jury, and said, they had his best thanks for the patient attention they had bestowed upon this arduous trial. He was very much obliged to them.—Then facing the body of the Court, his Lordship added, "I very much approve of the conduct of the Court at the time the verdict was given in;" alluding, we presume, to the universal silence which prevailed at the time.

It was near six o'clock before the Court broke up. Mr. Hunt was cheered as he went home to his lodgings. He maintained, to the last, his wonted composure, and there was a calmness and respectful decorum in his manner at the close of the trial which excited much sympathy for his situation.

THE END

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